



TO: The Honorable Members of the PA House Labor & Industry Committee  
FROM: Alex Halper, SVP, Government Affairs  
DATE: June 24, 2024  
RE: Bills in Labor & Industry Committee

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We write concerning bills scheduled for Committee consideration tomorrow:

**H.B. 2356 – Work schedule mandates**

This legislation requires employers to provide employees with at least 30 minutes of paid time off after five hours of work. We appreciate the intent but have heard concerns from a range of employers.

For example, employers with “exempt” employees (i.e. not subject to overtime requirements) are concerned this mandate would require them to initiate new administrative systems and force their salaried employees to begin tracking their hours and breaks. Employers who serve vulnerable populations or aging services providers have expressed concerns with a new unfunded mandate that could exacerbate existing funding and workforce crises as they work to ensure access to care.

Even employers who already provide similar or more generous break times have urged opposition based on the removal of flexibility, which is often necessary (e.g. when coworkers are late or unexpected circumstances arise), and the harsh penalties that could amount to thousands of dollars per day.

**Accordingly, we urge you to oppose this bill.**

### **H.B. 2360 – Contractor verification**

This legislation requires employers in the construction industry to complete additional forms in order to operate in the Commonwealth.

The bill includes vague language, new private rights of action, and adds new administrative challenges to employers already burdened with significant bureaucratic requirements.

**We urge you to oppose this bill.**

### **H.B. 2412 – Misclassification**

This legislation directs the state Department of Revenue to share tax information with the Department of Labor and Industry for the purpose of investigating potential misclassification and would also create an employee misclassification working group.

The PA Chamber opposes any company taking advantage of workers by intentionally misclassifying them as independent contractors to avoid costs and protections associated with employment. While we hope this bill will serve to help address this unlawful and unethical practice, we are concerned these initiatives could be hijacked and misused as part of a campaign to undermine Pennsylvanians who choose to operate as independent contractors and the employers with whom they engage.

We urge all stakeholders – lawmakers, regulators, employers, unions, and others – to join together in combating misclassification by working with employers to ensure compliance, educate workers, and crack down on bad apple violators. At the same time, we should protect independent contractor arrangements that comply with the law and benefit everyone involved.

Thank you for considering our views on these bills. Please contact Alex Halper at [ahalper@pachamber.org](mailto:ahalper@pachamber.org) or 717-645-8730 with questions or to discuss.