



January 6, 2017

The Honorable Lamar Alexander
Chair
Committee on Health, Education, Labor and
Pensions
U.S. Senate
Washington, D.C. 20510

The Honorable Patty Murray
Ranking Member
Committee on Health, Education, Labor and
Pensions
U.S. Senate
Washington, D.C. 20510

Dear Chair Alexander and Ranking Member Murray:

On behalf of the National Partnership for Women & Families and the activists and supporters we represent, I write today in strong opposition to the nomination of Andrew Puzder to be U.S. Secretary of Labor. Mr. Puzder's nomination represents a stunning and unwelcome departure from the dedicated and powerful champions who have held the post in recent years, and who have helped advance policies that promote fair wages, equal pay, paid sick days, paid family and medical leave and equal employment opportunities. The Puzder nomination betrays America's workers, especially women and people of color whose rights he has worked to erode.

The National Partnership for Women & Families is a nonprofit, nonpartisan organization dedicated to promoting fairness in the workplace, reproductive health and rights, access to quality health care, and policies that help women and men meet the dual demands of job and family. For more than 45 years, we have worked to advance policies that create opportunities for women in the workforce and greater economic security for women and their families. The National Partnership has worked tirelessly to secure updated wage and hour protections for millions of America's workers, new equal employment opportunity protections for federal contract employees, and vigorous enforcement of the Fair Labor Standards Act and the Family and Medical Leave Act – all of which will be in grave jeopardy if the U.S. Senate permits Mr. Puzder to lead the U.S. Department of Labor.

Mr. Puzder's agenda will harm America's workers and their families and is at odds with the mission of the department, which is "[t]o foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights." As the CEO of CKE Restaurant Holdings – parent company of Carl's Jr., Hardees and other fast food restaurants – Mr. Puzder has stridently opposed the updated overtime rule,¹ which would stop an egregious form of worker abuse by finally ending the days when people who work long hours for poverty wages do not receive overtime pay. He has opposed increases to the minimum wage,² which together with elimination of the tipped minimum wage, would help lift millions of women out of poverty. He has advocated for repeal of the Affordable Care Act – the greatest advance for

women's health in a generation – stating that it “discourages businesses from hiring and incentivizes people not to work.”³

Mr. Puzder's record in the fast food industry demonstrates a blatant disregard for an employer's most valuable resource – its people. The restaurant industry employs millions of workers, including 2.6 million people – mostly women – who prepare and serve food.⁴ These food service and preparation workers are paid, on average, \$9.15 per hour⁵ – and 81 percent do not have a single paid sick day.⁶ Rather than supporting policies to improve these workers' lives, Mr. Puzder has instead argued in favor of machines replacing workers. Just last year, he said that machines are “always polite, they always upsell, they never take a vacation, they never show up late, there's never a slip-and-fall, or an age, sex, or race discrimination case.”⁷

Indeed, Mr. Puzder has argued against raising the minimum wage and guaranteeing paid sick days and paid family and medical leave, all of which would benefit all workers and especially women and their families.⁸ He is also on the board of directors of the International Franchise Association, a trade group that sued the city of Seattle over its wage increase in 2014,⁹ has opposed the Obama administration's paid sick days executive order and the Healthy Families Act,¹⁰ and opposed the Paycheck Fairness Act¹¹ and Fair Pay and Safe Workplaces executive order.¹² Mr. Puzder was also until very recently a member of the Job Creators Network, which also opposes the Paycheck Fairness Act, the overtime rule, the Affordable Care Act, paid sick days and other policies that would support women and families.¹³

Mr. Puzder's direct anti-woman record is also deeply concerning. In an industry in which 40 percent of women fast food workers say they have experienced unwanted sexual behaviors on the job,¹⁴ Mr. Puzder's CKE and its franchises have been the subject of numerous sexual harassment and sex discrimination lawsuits that reveal a disturbing disregard for female employees.¹⁵ In addition, as recently as 2015, Mr. Puzder boasted about offensive advertisements that objectify women and undermine women's dignity in an effort to sell hamburgers to “young hungry guys.”¹⁶ He disturbingly claimed that the offensive ads, featuring women in bikinis, reflects his own personality stating, “I like beautiful women eating burgers in bikinis. I think it's very American.”¹⁷

Mr. Puzder's disrespect and disregard for women is not new. He has long advocated for extreme anti-abortion policies. As a Missouri lawyer, Mr. Puzder was an architect of legislation to dismantle *Roe v. Wade* and deny women access to abortion care.¹⁸ He was later appointed to an anti-choice task force by then-Missouri Governor Ashcroft that was created to develop further restrictions on abortion and cement the state's role at the forefront of the pursuit to end legal abortion.¹⁹ Mr. Puzder's radical anti-choice agenda would roll back the clock on women's rights, undermining women's health, economic security, and dignity.

The nomination of Mr. Puzder does not reflect what America wants or needs. Seven in 10 voters (71 percent) say that they or their families would be likely to experience significant financial hardship if they faced a serious personal or family medical need – and it is, therefore, no surprise that more than eight in 10 voters (82 percent) think it is important for the next president and Congress to consider paid sick days and paid family and medical leave laws.²⁰ Voters also overwhelmingly support increases in the minimum wage and equal pay.²¹ Mr. Puzder's views

also do not represent what most business leaders support: Polling conducted by LuntzGlobal for the State Chambers of Commerce at the end of 2015 reveals broad support among business leaders for raising the minimum wage (80 percent), fair scheduling (78 percent), expanding maternity and paternity leave (72 and 82 percent, respectively) and allowing more workers to earn paid sick days (73 percent).²²

Mr. Puzder's tenure at the Department of Labor would be devastating to America's families and the nation's progress. We must not allow a corporate executive with an anti-worker, anti-woman record to lead our federal Department of Labor. We urge the Senate to reject Mr. Puzder's nomination.

Sincerely,



Debra L. Ness
President
National Partnership for Women & Families

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12 Aerospace Industries Association et al. (2016, July). *Multi-Association Letter on Fair Pay and Safe Workplaces Executive Order 13673 and the Fiscal Year 2017 National Defense Authorization Act*. Retrieved 6 January 2017, from <https://www.uschamber.com/letter/multi-association-letter-fair-pay-and-safe-workplaces-executive-order-13673-and-the-fiscal>

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