

Chairman Lamar Alexander
Committee on Health, Education, Labor and Pensions
United States Senate

Ranking Member Patty Murray
Committee on Health, Education, Labor and Pensions
United States Senate

January 25, 2017

Dear Chairman Alexander and Ranking Member Murray:

The undersigned organizations write to respectfully request that you allow members of the HELP Committee as much time as they need to question Andrew Puzder fully during his confirmation hearing. We also request that you allow present and former employees of CKE Restaurants to testify as to the working conditions in Mr. Puzder's company.

Whereas a limit of one round of questioning may have been appropriate for some nominees in the past, Mr. Puzder is not a traditional Cabinet-level nominee. Unlike his recent predecessors, he does not have a long career in public service, nor a record of votes, speeches or actions on matters of public policy that accompany such a career. If confirmed, Mr. Puzder will hold an office that impacts virtually every working person in America. Members of the Committee must be able to evaluate his qualifications and fitness for this role. One round of questions will be insufficient for this formidable task.

In this case, all the Committee has are scant quotes, interviews and writings, as well as the advertising campaign for Mr. Puzder's restaurants, none of which reflect well on his philosophical temperament to be the nation's chief advocate for workers. Mr. Puzder's prior statements in the public record suggest that he possesses a derogatory and sexist view of women in the workplace and a disdain for those who make low wages in our society. These are precisely the workers that need a devoted champion in the Department of Labor, and precisely those workers on whose backs he has made millions. Moreover, his company is privately held and therefore, we have little public information on his business practices and holdings. DOL data, recent reports, and testimony at a forum held by Senate Democrats detail allegations of substantial illegal workplace practices at CKE Restaurants and a general culture that promotes objectification and harassment of women workers by co-workers, supervisors and the general public.

Working people who depend on the Department of Labor to vindicate their rights deserve to know in detail how Mr. Puzder plans to lead DOL in enforcing some of our nation's most important laws including, but not limited to, the Fair Labor Standards Act, the Family and Medical Leave Act, the Occupational Safety and Health Act, Section 503 of the Rehabilitation Act, various protections for Veterans, and the civil rights protections owed those working under federal contracts. Members of the HELP Committee need sufficient time to question him about his plans for the Department of Labor, and one round of questions is insufficient for that level of inquiry.

Mr. Puzder surely has the right to defend against opposition to his nomination, and we respect providing him the opportunity to do so. But a man who has been so outspoken in his critique of employer mandates, whether they be by law or regulation, must be subjected to rigorous examination of how he will protect the rule of law during his tenure as the Secretary of Labor.

Hearing from CKE workers could further illuminate what it is like to work for Mr. Puzder and his company. Of course, should you call workers with complaints, he would have the right to call workers with favorable experiences, and HELP Committee members could judge credibility and persuasiveness for themselves.

Moreover, as an executive in one of the highest-violation industries in the country, Mr. Puzder stands to personally benefit from lax enforcement of our nations' employment laws, or the reversal of important regulations governing wages, safety, and benefits. Specifically, we should know if Mr. Puzder plans to recuse himself from any matters that would directly impact the fast food industry, as well as any matters involving the new overtime regulation, which is being challenged in court by the International Franchise Association, on whose Board of Directors he sat until very recently. The conflicts of interest are obvious and potentially many and the HELP Committee needs to examine in detail how he plans to avoid not just actual conflicts of interest, but even the mere appearance of them, all to ensure the utmost integrity of the U.S. Department of Labor.

If Mr. Puzder is truly qualified and suited for the position of Secretary of Labor, he should welcome a thorough hearing in which he can try to put to rest the many valid concerns surrounding his nomination. He would have nothing to hide and would not be in need of the protection, or at least the appearance of protection, that a truncated hearing would bring.

We urge you to reconsider your decision to limit questions posed to Mr. Puzder during his confirmation hearing. Perhaps more than any other Cabinet agency, the Department of Labor has a direct effect on the day-to-day lives of virtually all Americans. They deserve disclosure, transparency, and a chance to know the man who may be the next Secretary of Labor.

Respectfully,

9to5, National Association of Working Women
A Better Balance
Advancing Opportunity
AFL-CIO
The Agenda Project
American Association for Access, Equity and Diversity
American Association of University Women (AAUW)
American Federation of State, County and Municipal Employees (AFSCME)
American Sustainable Business Council
Asbestos Disease Awareness Organization
Asian Americans Advancing Justice-Asian Law Caucus
Asian American Legal Defense and Education Fund (AALDEF)
Bend the Arc Jewish Action
Center for Community Change Action
Center for Law and Social Policy
Center for Policy Initiatives
Center for Popular Democracy
Center for Workers Justice
Centro de los Derechos del Migrante, Inc. (CDM)
Chicago Jobs Council
Colorado WINS
Communications Workers of America
Community Service Society of New York
ConnectiCOSH (Connecticut Council on Occupational Safety & Health)
Corporate Accountability International
Daily Kos
DC Employment Justice Center
Demand Progress
Demos
Disciples Center for Public Witness (Disciples of Christ)
East Tennessee Jobs With Justice
EMILY's List
EPI Policy Center

Equal Justice Center
Equal Rights Advocates
Equal Pay Today
Every Voice
Fair World Project
Family Equality Council
Family Values @ Work
Farmworker Justice
Feminist Majority Foundation
First Shift Justice Project
Food & Water Watch
Food Chain Workers Alliance
FORGE, Inc.
Freedom Network USA
Friends of the Earth
Greater Hartford Legal
Greater New York Labor-Religion Coalition
Greater Syracuse Council on Occupational Safety and Health
Health Justice Project, Loyola University Chicago School of Law
Indiana Institute for Working Families
Institute for Science and Human Values
Interfaith Center for Worker Justice of San Diego County
Interfaith Worker Justice
In The Public Interest
Jobs With Justice
Justice in Motion
Kentucky Equal Justice Center
Labor-Religion Coalition of New York State
Lambda Legal
La Raza Centro Legal
Laundry, Distribution, Food Service Joint Board, Workers United, SEIU
LAW Project of Los Angeles
Lawyers' Committee for Civil Rights Under Law
The Leadership Conference on Civil and Human Rights
Legal Aid at Work (formerly Legal Aid Society-Employment Law Center)
Legal Aid Society
Legal Aid Society of the District of Columbia
Los Angeles Alliance for a New Economy
Main Street Alliance
Make it Work
Massachusetts Law Reform Institute
Michigan League for Public Policy
Mi Familia Vota

Moms Rising
NAACP
National Asian Pacific American Women's Forum (NAPAWF)
National Black Justice Coalition
National Center for Law and Economic Justice
National Center for Lesbian Rights
National Center for Transgender Equality
National Consumers League
National Council for Occupational Safety and Health (National COSH)
National Council of Jewish Women
National Domestic Workers Alliance
National Economic & Social Rights Initiative
National Education Association
National Employment Law Project
National Employment Lawyers Association
National Immigration Law Center
National Latina Institute for Reproductive Health
National LGBTQ Task Force
National Partnership for Women & Families
National Women's Law Center
National Youth Employment Coalition
New Jersey Work Environment Council
New Hampshire Coalition for Occupational Safety and Health
New Labor
New Mexico Center on Law and Poverty
New York Committee for Occupational Safety and Health
New Solutions: A Journal of Environmental and Occupational Health Policy
North Carolina Justice Center
Oxfam America
Pennsylvania Unemployment Project
People Demanding Action
PICO National Network
PolicyLink
Policy Matters Ohio
Pride at Work
Public Citizen
Public Justice Center
Restaurant Opportunities Center United
Rhode Island Center for Justice
San Diego and Imperial Counties Labor Council, AFL-CIO
Santa Clara County Wage Theft Coalition
Sargent Shriver National Center on Poverty Law
Service Employees International Union (SEIU)

SEIU 32BJ
SEIU Local 6 Property Services NW
SEIU Local 200United
SEIU Local 721
SEIU Local 1199/UGT
SEIU Local 1996/SPT
SEIU Florida Public Services Union
SEIU Healthcare 1199NW
SEIU Healthcare Florida Local 1991
SEIU Healthcare Minnesota
SEIU Healthcare Wisconsin
SEIU Minnesota State Council
SEIU Missouri/Kansas State Council
SEIU Texas
SEIU Wisconsin State Council
South Florida Interfaith Worker Justice
Stephen Prince, President of Card Marketing Services and founder of National Business Products
The Sugar Law Center for Economic & Social Justice
Tennessee Immigrant and Refugee Rights Coalition
Texas Organizing Project
Transcend Legal
Voices for Progress
Washington Lawyers' Committee for Civil Rights and Urban Affairs
Washington Legal Clinic for the Homeless
Washington State Labor Council, AFL-CIO
Western New York Council on Occupational Safety & Health (WNYCOSH)
West Virginia Center on Budget and Policy
Women Employed
Worker Justice Center of New York
Workers Defense Project
Worksafe
YWCA USA