



September 25, 2024

The Honorable Marc Molinaro  
Chair  
House Committee on Small Business  
Subcommittee on Innovation, Entrepreneurship  
and Workforce Development  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Morgan McGarvey  
Ranking Member  
House Committee on Small Business  
Subcommittee on Innovation, Entrepreneurship  
and Workforce Development  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Molinaro, Ranking Member McGarvey and Members of the House Committee on Small Business Subcommittee on Innovation, Entrepreneurship and Workforce Development:

On behalf of Associated Builders and Contractors, a national construction industry trade association with 67 chapters representing more than 23,000 members, I appreciate the opportunity to comment on the subcommittee's hearing, "[Avenues to Success: Examining Workforce Training Programs for Employees.](#)" The majority of ABC's general contractor and subcontractor members qualify as small businesses as defined by the Small Business Administration. The industry consistently has one of the highest concentrations of small business participation and its members play an integral role in building America's infrastructure.

On Jan. 31, ABC's construction workforce shortage model [found](#) the construction industry needs to attract an additional 501,000 workers on top of the normal pace of hiring in 2024 to meet the demand for labor. Fortunately, apprenticeship and career technical education programs, such as ABC's, are equipping workers with the tools necessary to build America's infrastructure. Notably, ABC chapters operate more than 450 government-registered apprenticeship programs in over 210 construction industry trades to provide workers with transferable and durable skill sets.

Relevant to the chairman, ABC's Empire State chapter maintains six New York offices and operates a state-registered Multiple Employer Apprenticeship Program. ABC Empire State's program provides learners with a dynamic learning experience that seamlessly blends hands-on training with classroom instruction. Together, these two components allow workers to earn wages while acquiring practical, real-world experience. The chapter offers this New York state-approved curriculum at four centers, where industry-trained professionals provide instruction on nine different trades. Notably, the program allows businesses to access skilled workers ready to excel in their chosen trades while eliminating the administrative and compliance-related burdens associated with New York apprenticeship programs.

While New York businesses may access ABC's Multiple Employer Apprenticeship Program, non-union businesses are placed at a disadvantage elsewhere. Specifically, New York Workforce Investment Boards discriminate against businesses not associated with organized labor by refusing to fund hundreds of community groups and thousands of individual businesses. This gatekeeping of workforce development dollars sidelines workers and prevents tax dollars from supporting New York businesses.

ABC opposes schemes that discourage participation and tilt the playing field in favor of organized labor. Instead, ABC supports an all-of-the-above approach to workforce development that ensures federal dollars are allocated to all organizations investing in workforce development programs. For this reason, ABC is proud to [support H.R. 6655](#), A Stronger Workforce for America Act. This legislation reauthorizes the Workforce Innovation and Opportunity Act and includes employer-led and on-the-job workforce upskilling programs and opportunities. ABC commended the U.S. House of Representatives for passing the legislation by a [378-26](#) vote on April 9.

Disappointingly, the U.S. Senate Health, Education, Labor and Pensions Committee has yet to advance H.R. 6655. What's worse, the Committee is supporting its own WIOA proposal that disregards the bipartisan nature of WIOA and the House bill. The Senate HELP Committee's proposal includes several concerning provisions that create an unfair playing field. Specifically, it exempts labor unions from having to achieve rigorous new eligibility requirements while automatically recognizing unions on a new list of Workforce Innovation Leaders. Additionally, the proposal undermines the ability of employers to engage with the program through a blacklisting amendment that would result in employers with allegations of labor law violations being denied access to the WIOA program

and funding, despite the employers still having opportunities to appeal the allegations. ABC opposes the Senate's WIOA proposal and [H.R. 2851](#), the National Apprenticeship Act of 2023, which would restrict small businesses' ability to access federally registered apprenticeship programs, limit job opportunities in the construction industry and create additional obstacles for the industry to meet future workforce demand and needs.

ABC supports an all-of-the-above workforce development strategy, including industry-driven and government-registered apprenticeship programs, so that workers and employers have the freedom to choose the best way to provide value and help build and rebuild America.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristen Swearingen".

Kristen Swearingen  
Vice President, Legislative & Political Affairs