



March 17, 2020

The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Chuck Schumer
Minority Leader
United States Senate
Washington, DC 20510

Dear Senators McConnell and Schumer:

The American Road & Transportation Builders Association (ARTBA) applauds Congress for taking swift action to address the COVID-19 public health emergency. While we support the intent of H.R. 6201, the Families First Coronavirus Response Act, many small and family-owned businesses within ARTBA's membership have serious concerns about the potential impact of the measure's sick leave provisions on their operations.

Through amendments to the Family and Medical Leave Act (FMLA) and else where, this legislation would require employers of less than 500 to provide paid family and sick leave relating to COVID-19 cases. The resulting process would require businesses to absorb the costs for these paid leaves initially, and then take advantage of a subsequent tax credit, thereby creating a structural lag of many months before any incurred costs are recouped.

Numerous smaller companies in the transportation construction industry operate on very narrow margins where cash flow and liquidity management can make the difference between viability and failure. This is especially true of many firms certified as Disadvantaged Business Enterprises (DBEs). Federal law requires certain levels of DBE participation in federal-aid transportation programs, but these businesses can face many resiliency and operational challenges typical of any start-up venture. Any decrease in the number of DBE companies could undercut separate policies designed to expand opportunities for women- and minority-owned businesses.

Therefore, instead of requiring small businesses to bear the initial burden of these well-intentioned efforts, ARTBA supports use of current federal employment-related programs to fund and administer the expanded leave provisions directly.

As this process moves forward, we urge you to restructure the sick leave provisions of H.R. 6021 to minimize any further hardship on small businesses and their employees.

Sincerely,

David C. Bauer
President & CEO