



## Labor & Workplace Safety

### EXECUTIVE SUMMARY

The National Demolition Association (NDA) is committed to the safety of workers at all times and takes that responsibility seriously. NDA member companies routinely work with government officials to ensure compliance with federal regulations and mitigate workplace hazards. Laws and regulations relating to demolition safety are necessary but should remain practical and not impose undue burdens on industry practitioners. Policymakers must fully consider the costs and benefits of proposed regulations to ensure that federal and private resources are utilized effectively to improve safety. Agencies should also consider the specific challenges faced by the demolition industry and work collaboratively with employers when promulgating new regulations.

### POLICY RECOMMENDATIONS

- NDA supports reasonable efforts by the government to address harmful exposure levels to substances, such as respirable crystalline silica, and believes the government should consider the economic effects of these regulations on the demolition industry as it pursues protections.
- Any proposed workplace regulations impacting private employers should receive a formal notice-and-comment period before taking effect.
- NDA supports the adoption of the economic reality test to distinguish between employees and independent contractors under the Fair Labor Standards Act.
- NDA opposes regulatory changes in the overtime rule that would cause demolition workers to be erroneously reclassified as non-exempt employees under the duties test.
- NDA opposes any increase to the overtime pay eligibility threshold that ignores regional and industry variations in wages and cost of living, decreases workplace flexibility, or makes it more difficult to develop future managerial talent.
- NDA opposes the dramatic expansion of the traditional test for joint employer status in which a company must exercise “direct and immediate control” over an employment relationship.
- NDA opposes regulations to ban non-compete agreements.

### REQUEST

**NDA urges Members of Congress and the Trump administration to carefully evaluate labor and workplace policies to ensure they are economically feasible, grounded in sound science and data, and demonstrate a proven benefit to the public.**

For questions, contact NDA Director of Government Affairs Alex McIntyre at [amcintyre@demolitionassociation.com](mailto:amcintyre@demolitionassociation.com).