

July 22, 2014

Senator Johnny Isakson
U.S. Senate
131 Russell Senate Office Building
Washington, DC 20510

RE: S. 2546, The Auto Enroll Repeal Act

Dear Senator Isakson:

On behalf of the undersigned businesses, trade associations, and organizations representing millions of American workers, their families and hundreds of thousands of job creators, we write in support of S. 2546, the Auto Enroll Repeal Act.

Section 1511 of the 2010 health care law amends the Fair Labor Standards Act to insert a new Section 18A, "Automatic Enrollment for Employees of Large Employers." The law requires that employers with 200 or more full-time employees automatically enroll their full-time employees in health care coverage by their 91st day of employment, unless the employee had opted out prior to the deadline. Employers that are subjected to this requirement are already bound by the health care law's Shared Responsibility for Employers provision, which requires an offer of coverage to these same employees.

We are concerned that automatic enrollment may create additional confusion for our employees in an already complex benefit area, and could result in unnecessary hardship if they find themselves automatically enrolled in a plan in which they do not wish to participate. In addition, the automatic enrollment requirement is redundant, expensive and unnecessarily burdensome for employers without increasing employees' access to coverage.

The Department of Labor has acknowledged this complexity in pushing off its implementation. Compliance has been waived until rules can be promulgated for this complicated provision of the law. Further complications arise when implementation must consider existing rules, such as the Lookback Measurement Method used to determine variable hour and seasonal employees' status and eligibility for an offer of coverage.

Now is the time to address the challenges employees and employers face with the automatic enrollment requirement. Thank you for your leadership on this critical issue. We look forward to working with you and your colleagues in Congress to enact S. 2546, the Auto Enroll Repeal Act of 2014.

Sincerely,

7-Eleven
Allegis Group, Inc.
American Benefits Council
American Hotel & Lodging Association
American Staffing Association
American Supply Association

Associated Builders and Contractors, Inc.
Associated Food and Petroleum Dealers
Associated General Contractors of America
Auto Care Association
AutoZone, Inc.
Bloomin' Brands, Inc.
Brinker International, Inc.
Buffalo Wild Wings
CarMax, Inc.
Church's Chicken
Darden Restaurants, Inc.
DineEquity, Inc.
Doherty Enterprises, Inc.
Eat'n Park Hospitality Group
Elephant Bar Global Grill / Wok Kitchen
ERISA Industry Committee
Firehouse of America, LLC
Food Marketing Institute
Hy-Vee, Inc.
International Association of Amusement Parks and Attractions
International Franchise Association
Jo-Ann Fabric and Craft Stores, LLC
Kelly Services
Lowe's Companies, Inc.
ManpowerGroup
National Association of Convenience Stores
National Association of Health Underwriters
National Association of Manufacturers
National Association of Wholesaler-Distributors
National Club Association
National Council of Chain Restaurants
National Grocers Association
National Restaurant Association
National Retail Federation
National Roofing Contractors Association
Pep Boys
Petco Animal Supplies, Inc.
Randstad US
Regis Corporation
Retail Industry Leaders Association
Texas Roadhouse, Inc.
The Home Depot
The Society for Human Resource Management (SHRM)
U.S. Chamber of Commerce
White Castle System, Inc.

Alabama Grocers Association
Alabama Restaurant & Hospitality Alliance
Alaska Hotel & Lodging Association

Arizona Lodging & Tourism Association
Arizona Restaurant Association
Arizona Retailers Association
Arkansas Grocers & Retail Merchants Association
Arkansas Hospitality Association
California Grocers Association
California Hotel & Lodging Association
California Restaurant Association
California Retailers Association
Carolinas Food Industry Council
Colorado Hotel & Lodging Association
Connecticut Food Association
Connecticut Lodging Association
Delaware Food Industry Council
Florida Restaurant & Lodging Association
Florida Retail Federation
Georgia Food Industry Association
Georgia Hotel & Lodging Association
Georgia Restaurant Association
Georgia Retail Association
Hawai`i Food Industry Association
Hawai`i Lodging & Tourism Association
Idaho Retailers Association
Illinois Food Retailers Association
Illinois Hotel & Lodging Association
Illinois Retail Merchants Association
Indianan Grocery and Convenience Store Association
Indiana Restaurant & Lodging Association
Indiana Retail Council
Iowa Restaurant Association
Retail Grocers Association of Greater Kansas City
Kansas Food Dealers Association
Kansas Restaurant and Hospitality Association
Louisiana Hotel & Lodging Association
Louisiana Restaurant Association
Louisiana Retailers Association
Maine Grocers & Food Producers Association
Maine Innkeepers Association
Maine Restaurant Association
Restaurant Association of Maryland
Massachusetts Food Association
Massachusetts Lodging Association
Massachusetts Restaurant Association
Michigan Grocers Association
Michigan Lodging and Tourism Association
Michigan Restaurant Association
Michigan Retailers Association
Minnesota Grocers Association
Minnesota Lodging Association

Minnesota Retailers Association
Mississippi Hospitality and Restaurant Association
Missouri Grocers Association
Missouri Retailers Association
Montana Lodging & Hospitality Association
Montana Restaurant Association
Montana Retail Association
Nebraska Grocery Industry Association
Nebraska Hotel & Motel Association
Nebraska Retail Federation
Nevada Hotel & Lodging Association
Retail Association of Nevada
New Hampshire Grocers Association
New Hampshire Lodging & Restaurant Association
New Jersey Food Council
New Jersey Restaurant Association
New Jersey Retail Merchants Association
New Mexico Restaurant Association
Food Industry Alliance of New York State
New York Hospitality & Tourism Association
Hotel Association of New York City, Inc.
New York State Restaurant Association
North Carolina Restaurant & Lodging Association
North Carolina Retail Merchants Association
North Dakota Grocers Association
Northwest Grocery Association
The Ohio Council of Retail Merchants
Ohio Grocers Association
Ohio Hotel & Lodging Association
Ohio Restaurant Association
Oklahoma Grocers Association
Oklahoma Hotel & Lodging Association
Oklahoma Restaurant Association
Oregon Restaurant & Lodging Association
Pennsylvania Food Merchants Association
Pennsylvania Restaurant & Lodging Association
Northwestern Pennsylvania Food Council
Rhode Island Food Dealers Association
Rhode Island Hospitality Association
Rocky Mountain Food Industry Association
South Carolina Restaurant and Lodging Association
South Carolina Retail Association
South Dakota Retail Association
Tennessee Grocers & Convenience Store Association
Tennessee Hospitality Association
Tennessee Retail Association
Texas Hotel & Lodging Association
Texas Restaurant Association
Texas Retailers Association

Utah Food Industry Association
Utah Hotel & Lodging Association
Utah Retail Merchants Association
Vermont Chamber of Commerce
Vermont Retail & Grocers Association
Virginia Hospitality & Travel Association
Virginia Retail Merchants Association
Hotel Association of Washington, D.C.
Washington Food Industry Association
Washington Lodging Association
Washington Restaurant Association
Washington Retail Association
West Virginia Hospitality & Travel Association
West Virginia Oil Marketers and Grocers Association
West Virginia Retailers Association
Wisconsin Grocers Association
Wisconsin Hotel & Lodging Association
Wisconsin Restaurant Association
Wyoming Lodging & Restaurant Association