



Owner-Operator Independent Drivers Association

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October 19, 2020

The Honorable Eugene Scalia
Secretary
United States Department of Labor
200 Constitution Avenue NW
Washington, D.C. 20210

Amy DeBisschop, Director
Division of Regulations, Legislation, and Interpretation
Wage and Hour Division
United States Department of Labor, Room S-3502
200 Constitution Avenue NW
Washington, DC 20210

Re: Docket # WHD-2020-0007-0001, "Independent Contractor Status under the Fair Labor Standards Act" [RIN 1235-AA34]

Dear Secretary Scalia and Director DeBisschop:

The Owner-Operator Independent Drivers Association (OOIDA) requests a 30-day extension to the comment period for the Department's Notice of Proposed Rulemaking (NPRM) that would revise its interpretation of independent contractor status under the Fair Labor Standards Act (FLSA).

OOIDA is the largest trade association representing the views of small-business truckers and professional truck drivers. We have more than 150,000 members nationwide who operate as independent contractors and employees. This proposed rule addresses issues that are at the center of the owner-operator model as well as misclassification in the trucking industry, and any changes to the FLSA classification test has the potential to affect truckers' livelihoods.

The NPRM seeks input from interested parties on a wide range of issues related to worker classification. Given the diversity of working arrangements in the trucking industry, there are many issues that must be considered before we can determine the proposal's impact on our membership. If not done carefully, changes to the classification test could upend a business model that has enabled millions of truckers to have a successful and secure career.

Furthermore, this is a significant proposal, as worker classification has recently received a great deal of attention at both the federal and state level. The Department's NPRM will have a large impact on these discussions and possible future changes to classification at the federal and state level.

We appreciate that the Department is attempting to work within the existing classification framework and simplify the classification process. In order to provide the most meaningful feedback to the Department, we ask that you grant our request for a 30-day extension to the comment period.

Sincerely,

A handwritten signature in cursive script that reads "Todd Spencer".

Todd Spencer
President & CEO
Owner-Operator Independent Drivers Association, Inc.