

NDA Sends Letter to Senate on Budget Reconciliation Priorities

Today, the National Demolition Association (NDA) sent a [letter](#) to U.S. Senate leaders highlighting the demolition industry's positions on several proposals in the Democratic budget reconciliation plan, known as the Build Back Better Act. The legislation recently passed the House of Representatives and is now under consideration in the Senate. The roughly \$2 trillion plan calls for new investments in social programs related to climate change, housing, health care, labor, education and child care.

In the letter, NDA outlined its concerns with specific provisions in the House bill and provided recommendations on how to improve the bill in the Senate. These recommendations include:

- Oppose all tax increases on demolition contractors;
- Oppose unreasonable increases to OSHA fines;
- Oppose expansion of the Family Medical Leave Act (FMLA); and
- Prioritize workforce development initiatives.

It is unclear when the Senate will vote on the Build Back Better Act as there remain many disagreements within the Democratic Party on the size and scope of the legislation. Senate Majority Leader Chuck Schumer has said he would like to pass the bill by the end of month but it is looking more likely that negotiations will continue into 2022. Democrats will need the support of all 50 of their senators in order for the bill to pass under the budget reconciliation process.

Members can echo NDA's advocacy on Capitol Hill by utilizing the [Grassroots Action Center](#) to contact their senators in support of the demolition industry's priorities. NDA will continue to lobby the Senate on these priorities and keep members update on the latest developments.

Update on OSHA COVID-19 Vaccination Mandate

As reported by NDA last month, the U.S. Court of Appeals for the Fifth Circuit recently affirmed their stay against the Occupational Safety and Health Administration's (OSHA) Emergency Temporary Standard (ETS) on COVID-19 vaccination/testing and instructed OSHA to stop enforcing the ETS until further court order. After the ruling, OSHA [announced](#) they had suspended activities related to the implementation and enforcement of the ETS pending future developments in the litigation.

The Sixth Circuit Court of Appeals was recently chosen in a lottery to hear the case against the ETS and will decide its fate later this month. The case is expected to eventually reach the U.S. Supreme Court by the end of December. As of now, the Sixth Circuit has not yet lifted the Fifth Circuit's stay on the ETS.

While OSHA has temporarily suspended enforcement of the ETS due to court order, NDA continues to encourage members to execute their strategy for implementation and to plan on meeting the 30 day (Dec. 6) and 60 day (Jan. 4) compliance deadlines as it remains unclear if the Sixth Circuit Court of Appeals will eventually lift the stay on the ETS.

NDA has created a [members-only guide](#) which provides an in-depth summary of the guidance issued by OSHA on the ETS. NDA will also be submitting formal comments to OSHA on the ETS, which are now due by Jan. 19, 2022.

Congress Passes Legislation to Avert Government Shutdown

Last night, Congress passed a short-term continuing resolution (CR) to fund the federal government at existing levels through Feb. 18, 2022. The CR also includes \$7 billion for Afghan refugee resettlement. President Biden is expected to sign the legislation today.