



**February 23, 2021**

The Honorable Joe Manchin  
306 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Manchin:

The National Demolition Association (NDA) represents nearly 500 U.S. and Canadian companies that offer standard demolition services as well as a full range of demolition-related services and products. NDA educates members on the latest advances in equipment and services, provides educational programs and tools to stay abreast of regulatory and safety matters and keeps regulators informed about issues in our industry. NDA also increases public awareness of the economic and societal benefits of demolition.

I am writing today regarding the COVID-19 relief bill that is currently under consideration in Congress. Specifically, NDA would like to recommend several improvements to the *American Rescue Plan Act of 2021* which is expected to receive a vote in the House of Representatives later this week. Should the bill pass the House, NDA asks that the Senate amend the legislation with the following provisions to provide critical relief to West Virginia demolition contractors.

***Protect employers from unwarranted lawsuits***

As the pandemic recovery continues, employers are facing the threat of unnecessary lawsuits related to COVID-19. NDA members take health and safety seriously and do not feel that employers should be held liable when making good-faith efforts to follow applicable public health guidelines.

Congress has the opportunity to provide a safe harbor that will ensure negligent employers can be held accountable while simultaneously protecting those who are working to follow public health guidance. NDA calls on the Senate to include a minimum five-year employer liability protection provision.

***Craft an appropriate balance for unemployment insurance***

Demolition contractors across the U.S. want to ensure that employees are safe and able to continue receiving income during these difficult times. As the pandemic recovery continues, NDA members support the appropriate balance of federal unemployment assistance and incentives to return to the workplace.

NDA members have seen the effects of an unbalanced unemployment supplemental benefit and, as a result, support reasonable limitations on supplemental unemployment insurance.



NDA believes that any supplemental unemployment insurance benefits should not hinder employers' ability to find and hire qualified workers during this period of economic recovery.

To this end, NDA calls on the Senate to reject the increase in supplemental unemployment benefits in the House bill and include a sunset provision which phases out the current program in each state based on local employment conditions.

***Reject Federal Minimum Wage Increase***

Given the vast differences in economic circumstances experienced on the state and local level, any changes to the federal minimum wage will have significant and far-reaching consequences for small businesses across the country. For this reason, NDA believes that any modifications to the minimum wage should be subject to a thorough and bipartisan examination in Congress through the House and Senate's regular order process. The budget reconciliation process is an improper avenue for changes to the minimum wage and NDA calls on the Senate to remove this provision from the final bill.

***Extend Paycheck Protection Program***

Since the passage of the CARES Act last spring, demolition contractors around the U.S. have utilized Paycheck Protection Program (PPP) program funding to sustain their businesses and retain employees during the pandemic. NDA calls on the Senate to extend the PPP beyond March 31, 2021 to ensure small businesses continue to have access to these critical resources.

The demolition industry is vital to the U.S. economy and is crucial during this time of economic uncertainty. We hope the Senate will take these recommendations into account and act soon in support of our members and all small businesses struggling in light of the COVID-19 pandemic.

Thank you for your consideration of this important matter. Please contact NDA's Director of Government Affairs Kevin McKenney at [kmckenney@demolitionassociation.com](mailto:kmckenney@demolitionassociation.com) with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Lambert", is positioned above the typed name.

Jeff Lambert  
CEO