



December 18, 2022

United States Senate
Washington, DC 20510

Dear Senator:

Re: SMACNA Endorses Jessica Looman as Administrator of DOL's Wage and Hour Division

Dear Senator:

The Sheet Metal and Air Conditioning Contractors' National Association (SMACNA) is supported by more than 3,500 construction firms specializing in industrial, commercial, residential, architectural and specialty sheet metal and air conditioning construction in public and private markets throughout the United States. **On behalf of SMACNA, I want to express our strongest and most enthusiastic endorsement for Jessica Looman to serve as Administrator of the US Department of Labor's Wage and Hour Division (WHD).** Ms. Looman was reported to the Senate floor with bipartisan support this week due to her outstanding qualifications, experience and judgement while serving at the Department of Labor as well as in many highly important public service positions at the local, state and federal levels.

Over many decades of reviewing candidates for federal appointments, SMACNA has very rarely endorsed a nominee for federal office. However, we make a special exception to support Jessica Looman to be WHD Administrator due to years of appreciation for her dedication and ability as well as our first-hand experience viewing her fairness, judgement, and professionalism at the state and federal levels. Our member corporations have appreciated her work up close, from her service as Minnesota Commissioner of Commerce, Assistant and Deputy Commissioner of the Minnesota Department of Labor and later as Executive Director of the Minnesota State Building and Construction Trades Council. She is a gifted public servant and would bring a high level of credibility, accountability, and transparency to a most challenging role at the Department of Labor, as the Administrator of the Wage and Hour Division.

Ms. Looman has made significant progress on important goals most labor and management organizations support, from expanding construction career pathways to including greater diversity and inclusion in the construction industry to protecting the physical and financial health of the construction workforce. In addition, in Minnesota she worked to increase private and public investment in construction infrastructure, an effort benefitting contractors and workers alike as well as the Minnesota taxpayer. During tenure at the Minnesota and US DOL she actively supported increasing construction workforce training quality, public project safety and productivity. Three high priority policies for our member corporations and skilled workers include: reforming the nation's prevailing wage laws, enforcing construction worker misclassification rules, and reforming and enforcing registered apprenticeship standards. On these long ignored regulatory matters she has earned the trust of our industry and introduced policy proposals important to our thousands of firms and their hundreds of thousands of highly skilled construction trades employees.

SMACNA members and allied quality driven contractors agree with the nominee that any major investment in public infrastructure should recognize the extreme importance and merit in building a larger



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skilled workforce, enforcing independent contractor rules, and paying locally prevailing wages as part of any quality based public procurement policy. We also endorse the Department of Labor Wage and Hour Division's view that Federal, state, and local prevailing wage laws should encourage employers to:

- Pay a locally prevailing wage
- Offer health care coverage to their employees and their families
- Provide for the future retirement of their employees and
- Make a significant investment in the registered apprenticeship training and safety programs producing an unmatched productive and safety conscious workforce.

From years of experience with Ms. Looman's leadership and service in Minnesota and at DOL, SMACNA member firms have learned to appreciate her commitment to expanding the skilled workforce, enforcing labor laws and regulations to provide a level playing field for all employers, including those providing quality wages, benefits, and training. Further, we know that her continuing federal commitment to the payment of prevailing wages and benefits is not designed as a union versus nonunion issue competition. According to many Department of Labor reports, most Davis-Bacon wage decisions for federal projects have paid less than the union wage. Ms. Looman supports fair and balanced reforms to the prevailing wage laws to prevent the federal government from undermining local economies and prevailing local employment and training practices by reflecting local conditions. For that reason, we found general agreement and support for the Wage and Hour Division's draft rules the WHD issued in May boosting compliance assistance to employers as part of reforming the Davis-Bacon Act. Under Ms. Looman's guidance, the draft rules, if adopted, would offer public construction projects far greater productivity by using a trained, skilled workforce completing highly complex construction projects faster and with better quality.

In summary, SMACNA views Ms. Looman as a highly competent, first-rate administrator supportive of a construction industry where quality driven firms are not disadvantaged when bidding federal projects because they offer their employees locally prevailing wages, health care, pensions, and registered apprenticeship training opportunities. **For that reason and many more, we endorse Jessica Looman to be the Administrator of the Wage and Hour Division at the US Department of Labor.** Thank you for considering our views of this highly talented and qualified nominee. Do not hesitate to contact our association should you need our assistance to better support Ms. Looman or to promote construction quality, productivity, skilled workforce training and project safety.

Sincerely,



Stanley E. Kolbe, Jr.
Executive Director, Government and Political Affairs
SMACNA