

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