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VIA ELECTRONIC SUBMISSION: WWW.REGULATIONS.GOV

Ms. Amy DeBisschop
Director of the Division of Regulations, Legislation, and Interpretation
Wage and Hour Division
U.S. Department of Labor
Room S-3502
200 Constitution Ave., N.W.
Washington, DC 20210

Re: Request for Extension of Comment Period -- Notice of Proposed Rulemaking: Employee or Independent Contractor Classification Under the Fair Labor Standards Act (Docket No. WHD-2022-0003)

Dear Ms. DeBisschop:

On behalf of the Coalition for Workforce Innovation (CWI), we respectfully request an extension of the current deadline for submitting written comments in response to the Wage and Hour Division's (WHD) Notice of Proposed Rulemaking (NPRM) published on October 13, 2022 entitled, "Employee or Independent Contractor Classification Under the Fair Labor Standards Act (FLSA)." The current comment period of 45 days does not provide adequate time to gather, analyze, and provide the information on behalf of our members WHD is requesting. CWI requests an additional 30 days to submit comments on this policy change.

CWI is composed of diverse stakeholders representing worker advocates, small business start-ups, entrepreneurs, technology companies, and traditional businesses and associations representing companies in the media, transportation, distribution, retail, and service industries. CWI members who have signed onto this letter include: Retail Industry Leaders Association (RILA), Direct Selling Association (DSA), TechNet, iPSE-US, iWorker Innovations, National Home Delivery Association (NHDA), Financial Services Institute (FSI), Customized Logistics and Delivery Association (CLDA), Veryable, Inc., FMI -- Food Industry Association, Promotional Products Association International (PPAI), National Club Association (NCA), National Limousine Association (NLA), and Transportation Intermediaries Association (TIA). CWI's members are interested stakeholders in this regulatory activity and wish to assist the WHD in understanding how this policy change will impact independent contractors.

Additional time is necessary to respond to this NPRM for the following reasons:

- The intervening federal holiday taking place the week before the November 28, 2022 due date.

- The importance of this regulatory change, as reflected in the number of participants in the DOL's listening sessions as well as comments submitted on the 2021 version of the rule (over 4,000 comments).
- The NPRM's length (58 pages in the Federal Register, 184 pages in the October 11, 2022 unofficial version released).

For these reasons, CWI requests an additional 30 days to submit our comments to WHD. Thank you in advance for considering our request. CWI looks forward to submitting comments on this important regulatory issue.

Very truly yours,

THE COALITION FOR WORKFORCE INNOVATION



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