

March 18, 2020

The Honorable Eugene Scalia
Secretary
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Dear Secretary Scalia:

On behalf of the membership of the undersigned dental organizations, we are writing to express our concern about provisions in H.R. 6201, the Families First Coronavirus Response Act, to address family and medical leave and paid sick leave for workers affected by the novel coronavirus (COVID-19) outbreak.

We respectfully ask you to consider using your discretionary regulatory authority to exempt small businesses, including dental offices, which are experiencing significant financial challenges during this difficult time.

Dentist owners care deeply about the welfare of their employees, especially those employees who are parents, however, the majority of private dental practices are small businesses with only 5-10 people on staff. The leave requirements currently being negotiated may create an extreme hardship for these small businesses that do not have additional staff to cover for necessary employees who are out and that are already facing economic turmoil as a result of COVID-19.

Under both the Emergency Family and Medical Leave Expansion and the Emergency Paid Sick Leave sections of the Families First Coronavirus Response Act, the Secretary of Labor has the regulatory authority to exempt small businesses with fewer than 50 employees "when the imposition of such requirements would jeopardize the viability of the business as a going concern."

Our organizations urge the Secretary to immediately act to issue these exemptions, and, recognizing that these requirements would jeopardize the viability of dental offices, issue them for all dental practices with fewer than 50 employees. We ask that the Secretary not require each dental practice to apply for an exemption, as that would be a hardship on businesses that are already short-staffed and do not have the time to go through a lengthy application process.

Thank you for your consideration of these important issues. Our organizations appreciate your work on behalf of small businesses, and look forward to continuing to work with you to ensure that the viability of dental offices is not jeopardized by the requirements of the Families First Coronavirus Response Act. Should you have any questions, please contact Ms. Roxanne Yaghoubi in the ADA's Washington office at (202) 415-0187 or yaghoubir@ada.org.

Sincerely,

American Dental Association
Academy of General Dentistry
American Academy of Pediatric Dentistry
American Association of Oral and Maxillofacial Surgeons
American Association of Orthodontists

American Association of Women Dentists
American Society of Dentist Anesthesiologists
American Student Dental Association
National Dental Association
Alaska Dental Society
Arizona Dental Association
Arkansas State Dental Association
Colorado Dental Association
Connecticut State Dental Association
Delaware State Dental Society
Florida Dental Association
Georgia Dental Association
Hawaii Dental Association
Idaho State Dental Association
Illinois State Dental Society
Indiana Dental Association
Iowa Dental Association
Kansas Dental Association
Kentucky Dental Association
Maine Dental Association
Maryland State Dental Association
Massachusetts Dental Society
Michigan Dental Association
Minnesota Dental Association
Mississippi Dental Association
Missouri Dental Association
Montana Dental Association
Nebraska Dental Association
Nevada Dental Association
New Hampshire Dental Society
New Jersey Dental Association
New York State Dental Association
North Dakota Dental Association
Oklahoma Dental Association
South Carolina Dental Association
Tennessee Dental Association
Texas Dental Association
Utah Dental Association
Vermont State Dental Society
Virgin Islands Dental Association
Washington State Dental Association
West Virginia Dental Association
Wisconsin Dental Association
Wyoming Dental Association