



July 28, 2014

The Honorable James Renacci
U.S. House of Representatives
Washington, DC 20515

The Honorable Kurt Schrader
U.S. House of Representatives
Washington, DC 20515

The Honorable Lynn Jenkins
U.S. House of Representatives
Washington, DC 20515

The Honorable Jim Costa
U.S. House of Representatives
Washington, DC 20515

Dear Representatives Renacci, Schrader, Jenkins and Costa:

On behalf of the members of the National Restaurant Association, the leading business association in the restaurant and foodservice industry, we write in support of H.R. 5213, the "Simplifying Technical Aspects Regarding Seasonality Act of 2014," or the "STARS Act." We thank you for your leadership in addressing a major challenge for restaurant and foodservice operators as they implement the Affordable Care Act.

Current law contains two definitions of seasonal employment under the health care law. The differing definitions and the complicated calculation to determine if an employer is an applicable large employer are creating compliance confusion for smaller employers who utilize seasonal staff. Unclear rules and conflicting definitions could lead to inadvertent noncompliance and cause financial burden through employer penalties.

The STARS Act aligns both definitions of seasonal employment to be consistent with the Treasury Department's seasonal employee definition adopted in the Employer Shared Responsibility Final Rule. The STARS Act also simplifies the determination of applicable large employer status for smaller employers utilizing seasonal employees so that it is easier for restaurant and food service operators to offer coverage.

Again, thank you for introducing H.R. 5213, the "STARS Act," to align the definitions of seasonal employment and simplify the applicable large employer status determination for restaurant and foodservice operators who hire seasonal employees. The National Restaurant Association supports passage of this important bipartisan legislation and looks forward to working with you to advance this bill through Congress.

Sincerely,

Handwritten signature of Angelo I. Amador in black ink.

Angelo I. Amador, Esq.
Vice President
Labor & Workforce Policy

Handwritten signature of Michelle Reinke Neblett in black ink.

Michelle Reinke Neblett
Senior Director
Labor & Workforce Policy