



March 20, 2020

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

Dear Secretary Scalia:

I am writing on behalf of the 5,300 member dentists of the Ohio Dental Association (ODA) to urge your immediate action related to small business dentist offices who have been called to action to assist in the cause of fighting the coronavirus at great sacrifice to their businesses. Now that HR 6201 – addressing family and medical leave and paid sick leave for workers affected by the novel coronavirus (COVID-19) outbreak – has passed, we respectfully ask you to consider using your discretionary regulatory authority to exempt dental offices, which are experiencing significant financial challenges during this difficult time.

Here in Ohio, Governor Mike DeWine has ordered that dentists and other health care providers delay all care but emergencies in order to preserve PPE. Our members are complying and many have already donated excess PPE to the local emergency management agency in the area to assist in the fight against the coronavirus. However, these restrictions have put an extreme hardship on these small business dental offices.

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 will 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.”

The ODA joins the nearly 50 other dental organizations which have already urged you to immediately act to issue these exemptions, recognizing that these requirements would jeopardize the viability of dental offices, especially those 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 immediate attention to this critical matter.

Sincerely,

Sharon K. Parsons, DDS
President

David J. Owsiany, JD
Executive Director