

# CMA Weekly Update



## CMA Weekly Update – December 3, 2021

The economy and the manufacturing industry have come a long way since this time last year, but as our industry continues to lead the recovery, it is contending with headwinds, particularly the impact of supply chain disruptions, along with the ongoing skills gap and continuing workforce challenges—all issues we've discussed at this year's CMA CEO Roundtables.

At this week's roundtable-- the last of the year—we tackled OSHA's mandate or test rule. We got an extensive update on the legal state of play from NAM's Senior Litigation Counsel, Erica Klenicki, and many of you shared your members' biggest concerns about the rule's implementation and how they were moving forward in the face of uncertainty. Even though our final roundtable of the year is behind us, we will continue to convene association leaders on the most pressing issues in the new year. [Let us know](#) what topics you'd like to see discussed in 2022.

### Key Issues

**Jobs Day** The U.S. Department of Labor is out this morning with the [monthly jobs report](#) that shows manufacturing employment rose by 31,000 in November, slowing from the gain of 48,000 in October but remaining a solid figure. More importantly, total employment in manufacturing has risen 315,000 year to date in 2021, putting it on track for the best annual job growth since 1994 with 12,546,000 workers in November. However, there are still 253,000 fewer manufacturing employees national relative to pre-pandemic levels (February 2020).

**OSHA Mandate or Test ETS Comment Period Extended** As noted above, the Biden administration's mandatory vaccine or weekly testing Emergency Temporary Standard remains in a legal challenge, and the administration is vigorously defending its policy. Our team expects the circuit court to move relatively quickly and continues to think that the Supreme Court may ultimately decide the legality of the ETS. On the regulatory side of this issue, [the comment period has recently been extended](#) and is scheduled to close on January 19, 2022. The NAM flagged several critical issues of concern in October to OSHA and the Office of Information and Regulatory Affairs during a White House meeting and has used [this letter](#) as a basis for our engagement. Some of these identified issues remain outstanding, and the next comment will highlight the need for added time to implement the requirements with a legal challenge underway, access to testing and unresolved compliance concerns.

Although OSHA has temporarily suspended all activity related to the implementation of this emergency interim final rule, we continue to gather feedback from members and urge planning for the ETS to continue. It is impossible to predict how the Sixth Circuit or the Supreme Court will rule, and the deadlines to develop compliance policies and ensure employees are vaccinated

could hold, get pushed or be struck down altogether. We will continue to share manufacturers' perspectives and experiences with the administration so that undue cost burdens and other potential disruptions are fully communicated and understood.

**Global Association Statement on WTO Priorities Released** The NAM along with our association partners issued a [joint association statement](#) on November 23, which underscored the importance of the WTO for manufacturers and the need for concrete solutions to revitalize and modernize the organization, including new trade liberalization, reform to special and differential treatment, a modernized and enforced WTO rulebook, and reform of the Dispute Settlement system and restoration of the Appellate Body. The statement also emphasized the importance of advancing effective initiatives that leverage trade to fight COVID-19 and enhance future pandemic preparedness, rather than divisive proposals that undermine core global trading rules in areas such as intellectual property.

The statement is signed by the NAM and likeminded associations representing manufacturers in the Americas, Europe, Asia and Oceania. The statement was released in advance of the [WTO 12th Ministerial](#) that had been scheduled to take place from Nov. 30 to Dec. 3 in Geneva. On Nov. 26, the Ministerial was [postponed](#) due to concerns about a new strain of COVID-19 and tightened travel restrictions in Switzerland. In the weeks and months ahead, the NAM will continue its efforts to raise awareness of the positive impact of the WTO on trade and the criticality of U.S. leadership in shaping the rules-based global trading system.

**New MI Study Shows Multigenerational Teams Benefit Manufacturers** Retaining older workers benefits manufacturers, and having multigenerational teams boosts company productivity, employee engagement and the bottom line, according to a new [study](#) by the MI's Center for Manufacturing Research and AARP. The study covers best practices for multigenerational team management, as well as how to leverage age diversity in the manufacturing workplace. "As a result of the workforce challenges, manufacturers are finding that retaining older workers is not only a necessity but an asset," said AARP Executive Vice President and Chief Advocacy & Engagement Officer Nancy LeaMond.

The MI will be conducting a webinar on Thursday December 9 to discuss the research and what it means for multigenerational teams. Click [here](#) to register.

**Key Labor Provisions Proposed in BBB** On November 19, the House of Representatives passed H.R. 5376, the Build Back Better Act of 2021 by a 220 to 212 vote. The legislation is expected to be considered by the Senate in the coming weeks and will likely face additional changes to garner passage with exceptionally narrow political margins.

Several areas in the labor and employment space will continue to be monitored to include but not limited to paid leave provisions, the assessment of even heftier labor penalties for OSHA violations as well as PRO Act-related issues. Build Back Better creates a new federal paid family and medical leave program with up to four weeks of paid leave per year for a variety of individual and family-related health events and situations. In addition, OSHA violations are proposed to increase significantly in the House-passed version. Many of the PRO Act-related issues were dropped in the House bill, but the inclusion of stiff National Labor Relations Act civil penalties remained in the package to be considered by the Senate. A summary of key House-passed provisions can be found [here](#). The NAM continues to oppose the Build Back Better agenda and

our statement following passage can be found [here](#).

## CMA Member Highlights

- The **Brewers Association** (BA) celebrated [Small Brewery Sunday](#) this week. Now in its third year, the annual celebration encourages beer lovers to support local breweries.
- The **American Boiler Manufacturers Association** (ABMA) has launched a new podcast, [Inside the Boiler Room](#), to raise awareness of today's oiler industry and share issues impacting the sector.

*The NAM provides this weekly update with key content for our association partners. This is also a platform to highlight work of our CMA partners. [Shoot us a note](#) on any initiatives or messages that your organization has launched that we can share with others.*

## Coming up

December 7: [Manufacturers Retirement & Savings Plan Info Session](#) (2:00 p.m. – 2:30 p.m. eastern) Improving workforce retention and quality of talent is an ongoing challenge for manufacturers. One way employers are attracting and retaining workers is by offering more robust benefits, including a retirement plan. Hear about the newest offering for association partners, a multiple-employer 401(k) and savings plan that saves time and simplifies administration for you as the offering employer but maximizes potential retirement planning for your employees.

December 8: [Vaccine Mandate Webinar](#) (3:00 p.m. – 4:00 p.m. eastern) Join this Town Hall style webinar to hear from a manufacturer who has advanced an employee-wide vaccine mandate ahead of the ETS announcement in November. We also hope to expand the conversation into some other current areas of interest.

December 8: [Manufacturing in 2030](#) (Four Seasons, New Orleans, LA or Virtual Option Available) **Note: Waitlist only for the in-person event. Virtual experience still available!** Join us in New Orleans to learn more about the **Manufacturing in 2030 Project** and to collaborate with your fellow executives as we look to what 2030 may bring. Engage throughout the day with content focused on the mega-trends that will reshape the world by 2030. Explore new technologies on the horizon, discover what the virtual manufacturing enterprise of the future will look like, and understand what skills and competencies will define future manufacturing leaders. And, most importantly, hear from and network with some of the best minds in the industry.

December 9: [Multigenerational Teams in Manufacturing](#) (3:00 p.m. – 4:00 p.m.) Through a survey of manufacturers and a series of interviews with industry leaders, The Manufacturing Institute—the workforce development and education partner of the National Association of Manufacturers—has researched how the manufacturing industry utilizes multigenerational teams. This conversation will discuss this new research and what it means for multigenerational teams.

December 14: [2021 Virtual D&I Summit](#) (1:00 p.m. – 5:00 p.m. eastern) The manufacturing industry is facing a labor shortage—and one of the industry's biggest opportunities to address this

challenge is by broadening the talent pipeline and prioritizing actions that recruit and retain a diverse workforce. Join us on December 14 from 1:00 – 5:00 pm ET for a virtual event that will explore dimensions of **diversity and inclusion specific to the manufacturing workforce** and provide actions you can take now to move our industry forward. We will discuss the latest data and stats pertaining to D&I in the manufacturing industry, explore how to build inclusion into company culture and hear from those at the forefront of action to increase diversity and inclusion to help you attract and retain the talent you need to be competitive.

January 12-14: [CMA Winter Leadership Conference](#) (Four Seasons, Baltimore, MD) Be a part of the conversation at the CMA Winter Leadership Conference. Join nearly 200 manufacturing trade association executives as we discuss disruptive trends and technologies impacting the manufacturing industry. ***Last chance for discounted rate; register by December 9.***

### **Leadership Reads**

A weekly round-up of leadership, operations and productivity articles, podcasts, and micro-learning opportunities.

- [Navigating the Mental Health Crisis in the Post-COVID-19 Workplace](#) *Corporate Wellness* (10-min read)
- [Re-Recruit Your Current Employees](#) *HBR Ideacast* (25-min listen)
- [Master Your Executive Presence](#) *Awesome at Your Job* (40-min listen)
- [How Senior Leaders Build Trust](#) *Forbes* (10-min read)