

Andrew Puzder Withdraws Candidacy for Labor Secretary; Trump Taps Former U.S. Attorney Alexander Acosta

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On February 15, 2017, just one day before his confirmation hearing, Andrew Puzder announced that he was withdrawing his nomination to serve as President Donald Trump's Labor Secretary. Puzder is the CEO of CKE Restaurants, which operates fast-food restaurants Carl's Jr. and Hardee's.

Like many of President Trump's Cabinet picks, Puzder faced fierce opposition from Democrats, as well as unions and worker advocacy groups. The opposition came as no surprise, as Puzder publicly opposed government regulation, a \$15 minimum wage increase and the Affordable Care Act, and recently revealed that he hired an undocumented housekeeper. Puzder was also criticized for alleged labor law violations, including unpaid overtime, which occurred at CKE Restaurants under his leadership.

Shortly before announcing his withdrawal, it was reported that Senate Republicans encouraged the Trump administration to pull the nomination since a growing number of Republican senators were uncertain they would vote in favor of Puzder, which jeopardized his confirmation.

Today, President Trump announced that he has selected Former U.S. Attorney Alexander Acosta, who now serves as the Dean of Florida International University College of Law, for Labor Secretary. Acosta formerly served as a member of the National Labor Relations Board ("NLRB") under President Bush from 2002-2003, and then left to become an assistant attorney general for the Justice Department's civil rights division. Acosta is the son of Cuban immigrants, and if confirmed, would be the first Hispanic member in President Trump's cabinet.

While Acosta has an extensive background in public service, he will likely face scrutiny over a plea deal he cut while serving as U.S. Attorney in 2008 with billionaire financier Jeffrey Epstein, who was accused of having sex with dozens of underage girls. Acosta's prosecutors agreed not to file any federal charges against Epstein if he pleaded guilty to state charges involving soliciting prostitution and soliciting a minor for prostitution. This draws attention to President Trump's ties to Epstein, who is a member at the President's Palm Beach club, Mar-a-Lago.

If confirmed, it is likely that Acosta will significantly cut back Department of Labor regulations, and overhaul the NLRB's dramatic shift in policy that was implemented over the last 8 years, which gave unions a significant advantage at the bargaining table, and resulted in employee-friendly regulation. Acosta, however, has publicly spoken about the importance of protecting the civil rights of

minorities, particularly those of American Muslims, which is an indication that Acosta will ensure the federal government continues its efforts to protect the rights of minorities in the workplace.