

# AFL-CIO

## LEGISLATIVE ALERT

September 19, 2019

Dear Representative:

On behalf of the AFL-CIO, I urge you to oppose the Jordan Amendment to the FAIR Act (H.R. 1423) and to support the underlying bill. The FAIR Act would address the widespread use of abusive and often hidden contract provisions in consumer, employment and other agreements that force workers and consumers to settle their disputes against companies in a private system of arbitration that stacks the deck against individuals.

Collectively bargained arbitrations clauses covering contract disputes pose none of the dangers posed by “agreements” forced on unrepresented, individual employees by their employers. Unions and employers are equally sophisticated, have more nearly equal bargaining power, and are both repeat players in arbitration.

The Jordan Amendment would override these clauses in the thousands of collective bargaining agreements now in effect across the country, in every industry and sector. Put simply, collectively bargained arbitration of contract disputes is fair, but forced arbitration of the statutory claims of unrepresented employees is unfair.

The Jordan Amendment would also be directly contrary to the intent of Congress in both the Wagner and Taft-Hartley Acts, which encourage the practice of collective bargaining and the resolution of contract disputes through arbitration. The increased litigation and possible increased strike activity would be a burden on both employers and unions.

For these reasons, we urge you to oppose the Jordan Amendment and to support the FAIR Act.

Sincerely,



William Samuel  
Director, Government Affairs