

AFL-CIO

AMERICA'S UNIONS

February 6, 2020

Dear Representative:

On January 31, we wrote in support of the Protecting the Right to Organize (PRO) Act (H.R. 2474), which would restore the original intent of the National Labor Relations Act (NLRA) to give working people a voice on the job so they can negotiate for higher wages, better benefits, a more secure retirement and a safer workplace. We write today to express our views on amendments to H.R. 2474 that the Rules Committee has made in order.

Morelle (#46) This amendment simply clarifies that the definition of employer and employee in the PRO Act does not affect state laws governing wages, hours, workers' compensation or unemployment insurance. Vote yes.

Fox (#21) This amendment strikes a provision codifying NLRB precedent that requires employers to provide employee contact information. The amendment would seriously hinder unions seeking to represent employees in an election by preventing them from getting all available contact information of eligible voters after the NLRB has ordered that an election take place. It would also overturn half-century old Board precedent, upheld by the Supreme Court, holding that simple fairness requires that unions be able to contact eligible voters. Vote no.

Norcross (#16). This amendment requires that the pre-election hearing shall continue to proceed on a day-to-day basis to prevent delays by employers, except under extraordinary circumstances. This serves the purpose of resolving the controversy as quickly as possible and thereby preserving labor peace. Vote yes.

Roe (#20). This amendment prevents employers from voluntarily recognizing a union that has demonstrated the support of a majority of all employees in a unit. Voluntary recognition has been lawful since before the NLRA was adopted in 1935. This amendment would leave the NLRB with no remedy if an employer's unlawful conduct prevents a fair election. Vote no.

Wild (#42). This amendment clarifies that the PRO Act does not affect the privacy of employees with respect to voter lists provided to unions by employers. No recommendation.

Allen (#7). This amendment strikes the provision requiring states to allow "fair share agreements." So-called "Right to Work" laws, which prohibit fair share agreements, depress wages and benefits. Vote no.

Hayes (#24). This amendment codifies the existing voluntary recognition election bar, which requires the NLRB to dismiss petitions for an election where there has been a lawful voluntary recognition of a labor organization during the preceding 12-months. Vote yes.

Keller (#26). This amendment deletes the provision that protects the rights of workers to engage in short-term or intermittent strikes. Vote no.

Stevens (#36) This amendment requires a GAO report on sectoral bargaining based on international experience, including with regard to technical aspects of sectoral bargaining and, to the extent practicable,

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with regard to the effect of sectoral bargaining on wages, employment levels, prices, and other economic indicators. No recommendation.

Meadows (#38) Like Amendment #7, this amendment strikes the provision requiring states to allow “fair share agreements.” So-called “Right to Work” laws, which prohibit fair share agreements, depress wages and benefits. Vote no.

Jackson Lee (#37) This amendment addresses whistleblower protections under the Labor Management Reporting and Disclosure Act (LMRDA), some of which are already contained in that law. No recommendation.

Rooney (#6) This amendment requires a new election anytime the percentage of employees in a bargaining unit who voted in the original election falls below fifty percent because of turnover or retirements. This amendment would dramatically undermine stable and productive collective bargaining relationships, waste employer and union resources, and create significant administrative challenges for the NLRB. Vote no.

Vargas (#30) This amendment ensures that, when a Regional Director directs an election, the Director will issue at the same time a notice of election that details the date, place, and manner of the election. This amendment would eliminate any unwarranted delay between the direction of the election and the actual election date. Vote yes.

Tlaib (#40) This amendment requires employers to inform employees within 2 days that a petition for an election has been filed and provide those employees with relevant information about the election process. Vote yes.

Lawrence (#31) This amendment requires that NLRB Regional Directors schedule an election for the earliest date practicable after the Regional Director determines that an election is warranted, but no later than 20 business days from that date. Vote yes.

Rouda (#39) This amendment clarifies that the PRO Act does not affect the jurisdictional requirements for covered employers in the NLRA. Vote yes.

Restoring our middle class depends on strengthening the collective power of workers to negotiate for better pay and working conditions. This is why public support for unions is the highest it has been in decades. We urge you to support the PRO Act, oppose all weakening amendments for the reasons explained above, and help us build an economy that works for all working families. We also urge you to oppose any Motion to Recommit, which would have the effect of killing the bill.

Sincerely,



William Samuel
Director, Government Affairs

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