

AFL-CIO

LEGISLATIVE ALERT

February 13, 2023

Dear Representative:

I am writing to ask you to become an original co-sponsor of the bipartisan Richard L. Trumka Protecting the Right to Organize (PRO) Act, which will be introduced in the coming weeks by Reps. Bobby Scott and Brian Fitzpatrick. The PRO Act, which passed the House with bipartisan support last Congress, would restore the original intent of the National Labor Relations Act (NLRA) that gave working people a voice on the job so we can negotiate for higher wages, better benefits, a safe workplace and protection against discrimination.

For too long, employers have been able to violate the NLRA with impunity, routinely denying working people our basic right to join with co-workers for fairness on the job. According to the Economic Policy Institute, more than 60 million workers wanted to join a union in 2022 but couldn't. As a result of this ongoing trend, the collective strength of workers to negotiate for better pay and benefits has eroded, and income inequality has reached levels we have not seen since the Great Depression.

But workers are not standing by idly waiting for employers to improve our pay, safety and benefits. Instead, workers across the country are coming together to improve our workplaces through collective bargaining. A 2022 survey found that approval of labor unions is at the highest point since 1965. In the midst of increased worker organizing—and a corresponding increase in union-busting by employers—it is more important than ever that working people have an enforceable right to organize.

The PRO Act would modernize the NLRA by bringing its remedies in line with other workplace laws. In addition to imposing financial penalties on companies and individual corporate officers who violate the law, the bill would give workers the option of bringing our case to federal court. The bill also would make union elections fairer by prohibiting employers from requiring their employees to attend “captive audience” meetings, a common tactic whereby employers present anti-union propaganda to pressure workers to vote against the union.

Under the bill, once workers vote to form a union, the National Labor Relations Board (NLRB) would be authorized to order the employer to commence bargaining a first contract. These orders would be enforced in district courts to ensure swift justice, avoiding the complex and drawn out process in the federal appeals courts. In addition, the bill would ensure employees are not deprived of our right to a union because an employer deliberately misclassifies us as supervisors or independent contractors.

Too often, when workers choose to form a union, employers stall the bargaining process to avoid reaching an agreement. The PRO Act would establish a process for mediation and arbitration to help the parties achieve a first contract. This important change would make the freedom to negotiate a reality for the countless workers who form unions but never get to enjoy the benefits of a collective bargaining agreement due to employers' intentional delays.

The PRO Act would recognize that employees need the freedom to picket or withhold our labor in order to push for the workplace changes we need. The bill would protect employees' right to strike by preventing employers from hiring permanent replacement workers. It also would allow unrepresented employees to engage in collective action or class-action lawsuits to enforce basic workplace rights, rather than being forced to arbitrate such claims alone.

Finally, the bill would eliminate "right to work" laws. These laws, steeped in a history of racism, are promoted by a network of billionaires and special interest groups to give more power to corporations at the expense of workers, and have the effect of lowering wages and eroding pensions and health care coverage in states where they have been adopted.

Restoring our middle class is dependent on strengthening the collective power of workers to negotiate for better pay and working conditions. We urge you to be an original co-sponsor of the PRO Act and help us build an economy that works for all working families, not just the wealthy and well-connected.

To co-sponsor the bill, please contact Dhrtvan Sherman (Dhrtvan.Sherman@mail.house.gov). For more information, please contact Kyle deCant (Kyle.deCant@mail.house.gov).

Sincerely,



William Samuel
Director, Government Affairs