

AFL-CIO

LEGISLATIVE ALERT

May 17, 2016

The Honorable John Kline
Chairman
House Education and the Workforce
2176 Rayburn House Office Building
Washington, DC 20515

The Honorable Robert Scott
Ranking Member
House Education and the Workforce
2101 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Kline and Ranking Member Scott:

The AFL-CIO urges you to oppose H.J. Res. 87, the Congressional Review Act (CRA) resolution to block the Department of Labor's Persuader Rule that would require companies to publicly disclose expenditures for activities designed to persuade employees regarding their decision whether or not to form a union.

The Labor Management Reporting and Disclosure Act of 1959 (LMRDA) requires public disclosure when employers retain management consultants or firms to persuade employees in favor or against forming a union at their workplace. However, a loophole allowed firms that create anti-union materials and train supervisors on how to discourage employees from unionizing to avoid disclosure if they avoid direct contact with employees.

DoL's Persuader Rule closes this loophole (the so-called advice exemption) and requires employers and firms to report on their persuader activities, regardless of whether the outside consultant has direct contact with workers. By closing this loophole, workers will be able to obtain information about whether their employer is spending money on professional union busters and whether the anti-union rhetoric they are hearing at work comes from their employer or from outside management consultants.

The disclosure that is required under the new Persuader Rule pales in comparison to the voluminous disclosure that unions are required to file under the LMRDA. Unions are required to file comprehensive annual financial reports about their receipts and expenditures, which can run several hundred pages. The form for Persuader reports by employers and consultants runs two pages and largely consists of checking boxes -- hardly a burden on businesses, large or small.

American Federation of Labor and Congress of Industrial Organizations

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RICHARD L. TRUMKA
PRESIDENT

ELIZABETH H. SHULER
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TEFERE GEBRE
EXECUTIVE VICE PRESIDENT



Workers who join together to have a voice on the job deserve to know whether their employer is hiring a third party to defeat their organizing drive. DoL's Persuader Rule will result in greater transparency and help to level the playing field for workers who want to advocate for better pay and benefits, improved working conditions and safety on the job.

We urge you to oppose the CRA motion to overturn this common sense rule.

Sincerely,

A handwritten signature in black ink, appearing to read 'William Samuel', with a stylized flourish at the end.

William Samuel, Director
Government Affairs Department