



WORKFORCE FAIRNESS INSTITUTE

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Congressman John Kline
Chairman of the U.S. House Committee on Education and the Workforce
2439 Rayburn House Office Building
Washington, DC 20515

This week, the U.S. House Committee on Education & the Workforce will mark up two very important pieces of legislation: the Workforce Democracy and Fairness Act (H.R. 4320), and the Employee Privacy Protection Act (H.R. 4321). I applaud the efforts of the committee, and its chairman, John Kline, as well Phil Roe, chairman of the Employment, Labor, and Pensions Subcommittee, on their work to protect the freedoms of American workers.

These bills work to counter unilateral action by the National Labor Relations Board (NLRB) that would dramatically shorten the time frame for workers to vote on whether or not to join a union. In practice, the NLRB – currently stacked with union partisans hand-picked by Big Labor – would allow unions to hold “ambush” elections, ramming their agenda through without giving employees or employers time to consider their options and make an informed decision concerning workplace organizing.

If the NLRB gets its way and allows these “ambush” elections, both of these important parts of the process will be stifled. Congress’ intent when it amended the National Labor Relations Act in 1947 was to assure a “robust debate” in the workplace on the issue of unionization. The “ambush” election rule will effectively amend the statute and deprive workers of the debate Congress determined they are entitled to.

Not only does President Obama’s NLRB want to allow union bosses to bulldoze through the deliberative election process, it also wants to give them access to an expanded range of workers’ personal contact information. Their proposed rule would force employers to turn over their workers’ email addresses, home and cell phone numbers, as well as their home addresses, without the consent of the workers themselves. This not only forces employers to violate their employees’ trust, it makes it far easier for union organizers to engage in their well-documented tactics of intimidation and harassment.

American workers deserve time to hear all sides of the story during a union election and they deserve the right to decide how they are contacted during workplace organizing efforts. The NLRB wants to cut off both. Both the Workforce Democracy and Fairness Act, and Employee Privacy Protection Act before the Education & Workforce Committee help correct this attempt at executive overreach, and keep union elections free and fair to workers, employers and unions alike.

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