

AFL-CIO

LEGISLATIVE ALERT

October 2, 2017

The Honorable Lamar Alexander
Chair
U.S. Senate Committee on Health, Education, Labor and Pensions
428 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Patty Murray
Ranking Member
U.S. Senate Committee on Health, Education, Labor and Pensions
648 Hart Senate Office Building
Washington, DC 20510

Dear Chairman Alexander and Ranking Member Murray:

On behalf of the 12.5 million working men and women represented by the unions of the AFL-CIO, I am writing to offer our views on the nomination of Peter Robb to be General Counsel of the National Labor Relations Board (NLRB) when he comes before the HELP Committee for a hearing this week.

The NLRB is responsible for enforcing critically-important rights of working people to join together collectively to advocate and negotiate for improvements at their workplaces. Through collective action and their unions, working people have been able to achieve improved wages, health care, retirement security, safety, and fairness on the job. Particularly given the decades of wage stagnation experienced by working people, vigorously enforcing and protecting their rights under the National Labor Relations Act (NLRA) is more important now than ever.

The NLRB General Counsel position is uniquely important in our country's labor and employment agencies. The General Counsel is responsible for investigating and prosecuting violations of the law – situations where employers interfere with workers' exercise of their rights by firing them, harassing them, refusing to bargain with them, and more. Working people are completely dependent on the NLRB General Counsel to vindicate their rights. If the General Counsel does not pursue a complaint against an employer alleged to have broken the law and interfered in workers' rights, working people have no independent recourse. It is no overstatement to say the decisions and actions of the NLRB general counsel make the difference as to whether or not the rights provided to working people under the NLRA are real rights or just paper rights.

To this important position, President Trump has nominated Peter Robb, a lawyer from a law firm in Vermont who has represented employers in labor relations matters. Earlier in his career, Robb worked as chief counsel to a Republican member of the NLRB at a time that the NLRB was widely perceived as anti-union. He also worked as an attorney at the Federal Labor Relations Authority and prosecuted unfair labor practice charges against the National Association of Air Traffic Controllers after former President Reagan fired them. Robb was a staff attorney – he did not make the decision to fire the air traffic controllers. Still, it is the case that this seminal event sent a signal to employers all across the country that it was acceptable to engage in union-busting.

Management-side lawyers have served as NLRB general counsel in the past, and many of them have approached their responsibilities seriously and have vigorously enforced the law. It is incumbent upon Senators to find out from Mr. Robb at his upcoming hearing how he intends to approach his role as enforcer of workers' rights, his priorities for and thoughts about enforcing an 80-year old law in a changing economy, and whether and how his experience has prepared him for this all-important role.

Sincerely,



William Samuel, Director
Government Affairs Department

WS/lkr

cc: Senate HELP Committee Members

American Federation of Labor and Congress of Industrial Organizations

815 16th St., N.W. • Washington, D.C. 20006 • 202-637-5000 • www.aflcio.org

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