

# AFL-CIO

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## LEGISLATIVE ALERT

January 26, 2021

Dear Representative:

I am writing to ask you to become an original co-sponsor of the Protecting the Right to Organize (PRO) Act, which will be introduced shortly by Rep. Bobby Scott. The PRO Act, which passed the House with bipartisan support last year, will restore the original intent of the National Labor Relations Act (NLRA), which was to give working people a voice on the job so they 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 workers our basic right to join with coworkers for fairness on the job. As a result, 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. In the midst of a global pandemic, which has killed tens of thousands of front line workers, it is more important than ever that working people have the right to rely on the protection of a union contract.

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 their case to federal court. The bill would also 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 that the employer 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 courts of appeals. In addition, the bill would ensure that employees are not deprived of our right to a union because an employer deliberately misclassifies them 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 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 recognizes that employees need the freedom to picket or withhold our labor in order to push for the workplace changes we need. The bill protects employees' right to strike by preventing employers from hiring permanent replacement workers. It also allows 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, have been promoted by a network of billionaires and special interest groups to give more power to corporations at the expense of workers, and have had 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 co-sponsor the PRO Act and help us build an economy that works for all working families and not just the wealthy and well-connected. To co-sponsor the bill, please contact Eli Hovland with the House Committee on Education and Labor at [Eli.Hovland@mail.house.gov](mailto:Eli.Hovland@mail.house.gov).

Sincerely,



William Samuel  
Director, Government Affairs

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**American Federation of Labor and Congress of Industrial Organizations**

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