

# RESOLUTION 7

## THE TIME IS NOW FOR FIXING AMERICA'S BROKEN LABOR LAWS

Submitted by the Committees on Organizing and Legislation/Policy  
and the Executive Council

All across America, working people are rediscovering the value of unions. From nurses to video game developers to graduate teaching assistants, workers are organizing in record numbers.

Public support for unions is the highest it has been in 50 years. A majority of Americans supports unions, and the strongest support is among workers between the ages of 18 and 34.

In addition, the COVID-19 pandemic has shed new light on the importance of workers having a voice at work. Belonging to a union can literally be a matter of life and death at countless workplaces in America where workers are exposed to the risk of sickness and death every day of the week.

The pandemic has also highlighted deep structural imbalances of power in our economy, as the wealth of billionaires has grown by 70% during the pandemic. Today, 716 billionaires have more wealth than the entire bottom half of the population—or 165 million people.

Although the right to form unions and engage in collective bargaining is a fundamental right guaranteed by the National Labor Relations Act (NLRA) of 1935, the desire of millions of workers to join a union has been frustrated by unchecked corporate power and our broken and outdated labor laws. Even the right to strike, which should be a universal right, has become meaningless with the widespread use of permanent replacements. In the public sector, only half the states recognize workers' freedom to engage in collective bargaining, and public employees' right to bargain is under persistent attack from anti-worker politicians.

While polls show increasing numbers of Americans would join a union if they could, union density continues to slide as corporations and their allies in Congress work side by side to erect barriers to organizing and bargaining. From Amazon to Google to DoorDash, massive corporations are using their wealth and power to deny workers our fundamental rights. Corporate front groups are also using their money and influence at the state level to undermine collective bargaining rights for public employees.

Workers at these companies are not the only ones who suffer from corporate greed. Entire communities are held back as low wages undermine education budgets, health care and other basic public services. In 26 “right to work” states, more workers are stuck in low-wage jobs than in non-right to work states.

There is a growing consensus among economists that unions are the cornerstone of a robust and sustainable economy. Unions raise wages, reduce income inequality, promote workplace safety, negotiate retirement security and health benefits, and ensure fairness and dignity for millions of workers. Public sector unions support quality public services, and seek to maintain safe and supportive communities. Unions also strengthen our democracy and help bridge the racial divide.

When greedy corporations exploit our broken labor laws to keep workers down and frustrate union organizing, the result is that our economy is weaker, we are less globally competitive and income inequality continues to explode.

The need to modernize and strengthen our labor laws has never been more compelling, and today the AFL-CIO commits to keeping labor law reform at the top of our agenda until we succeed.

In 2019, the AFL-CIO began a campaign to build support for the Protecting the Right to Organize (PRO) Act. The PRO Act would modernize the NLRA to give working people a voice on the job so we can negotiate for higher wages, better benefits, a more secure retirement and a safer workplace. It would impose financial penalties on companies and individual corporate officers who violate the law. It also would override state right to work laws, prohibit companies from holding captive-audience meetings during organizing campaigns, ban the use of permanent replacements during strikes and remove the ban on secondary picketing. The PRO Act would ensure that all workers have the right to join a union by cracking down on employers who misclassify their workers as independent contractors. Finally, it would establish a process for mediation and arbitration to help employers and unions reach a first contract.

Majorities in Congress agree that the NLRA needs to be updated and strengthened. The PRO Act passed the House of Representatives in 2019 and 2021 with bipartisan majorities. President Biden has called on Congress to send the PRO Act to his desk. It is now up to the Senate to debate and pass the PRO Act.

The AFL-CIO has also strongly advocated for the Public Service Freedom to Negotiate Act (PSFNA) so that all public employees have a right to bargain collectively. The PSFNA gives states the flexibility to write their own collective bargaining laws for public employees subject to minimum standards, including allowing public service workers to join together and have a voice on the job to improve wages, working conditions and the delivery of public services in their communities.

We stand with public sector workers—nurses, teachers, EMS workers, custodians, corrections officers, child care providers and so many more—who have stood courageously on the front lines of the fight against the pandemic to keep their communities safe, healthy and strong while putting their lives on the line. By standing together, union members can demand workplace protections and safety standards and the ability to use paid leave, as well as stay connected to their jobs during these uncertain times. It is now time to pass the PSFNA.

- We reaffirm our commitment, which we first made at the 2017 AFL-CIO Convention, that no candidate or elected official who fails to endorse and fight for these fundamental reforms should receive the support of working people.