

AFL-CIO

LEGISLATIVE ALERT

December 3, 2025

Dear Senator:

On behalf of the 15 million workers and 64 affiliate unions represented by the AFL-CIO, I urge you to oppose the following bills that were recently introduced: S. 3111, S. 3114, S. 3115, S. 3116, S. 3117, S. 3124, S. 3128, and S. 3215. While these bills are being promoted as part of a “pro worker” agenda, they would weaken workers’ ability to organize, undermine the National Labor Relations Board’s (NLRB) enforcement authority, and make it harder for employees to exercise their rights under the National Labor Relations Act (NLRA). We strongly urge you not to cosponsor these bills.

S. 3111 Small Businesses Before Bureaucrats Act

This bill increases the monetary threshold the NLRB must use when deciding whether to decline jurisdiction over entire categories of employers. Raising the threshold tenfold would shut countless workers out of NLRA coverage entirely. All employees deserve meaningful access to collective bargaining protections, and a strong collective bargaining relationship between labor and management is a powerful asset to businesses no matter their size.

S. 3114 Union Members Right to Know Act

This bill manufactures a problem that does not exist. Unions already give members all required information about their rights under the Labor Management Reporting and Disclosure Act, and workers can already opt out of paying for any political or nonrepresentational activities. No one is ever forced to fund political work they disagree with. S. 3114 adds piles of new paperwork and forces unions to get written permission every year before using dues for anything beyond the bare minimum of running a contract. This does nothing to protect workers. Instead, it makes it harder for unions to support organizing, training, and advocacy, which are the very activities that help workers build power and win improvements. It is an unnecessary intrusion into how workers choose to run their own organizations. No other membership group from business associations to national advocacy groups faces these kinds of restrictions.

S. 3115 NLRB Stability Act

The NLRB is the federal agency that investigates and decides unfair labor practice cases under the NLRA, administering and enforcing the fundamental human right to organize and collectively bargain for the bulk of the private sector workforce. It applies the same rules nationwide so workers receive the same interpretation of the statute no matter where they live. This bill would change that by forcing the NLRB to follow different appellate court rulings in different regions, even when those courts contradict one another. That means employers could face consequences for violating the law in one part of the country but not in another part of the country, under the same statute. A worker fired for trying to form a union could be reinstated in one region but denied that same protection in another – with the same set of evidence. Other provisions in the bill would create more delays and obstacles to enforcing NLRB orders by tying the agency’s hands when it comes to finding a court to hear the agency’s appeal.

S. 3116 Fairness in Filing Act

This bill would make it harder for workers to enforce their rights under the NLRA. Workers rarely have access to the emails or records their employer controls, so they often learn key facts only after the NLRB begins an investigation. Requiring them to provide affidavits, emails, or photos at the moment they file a charge is unrealistic and would stop many workers from coming forward, as well as interfere with the Board's expertise in determining whether evidence is sufficient. The bill also adds an extra layer of paperwork for cases the Board has not even decided to prosecute, worsening existing backlogs that are caused by years of underfunding and staff cuts, not by workers filing too many claims. On top of that, creating penalties for filings labeled "frivolous" would scare workers into staying silent even when they have legitimate concerns. These new barriers would allow more workplace abuses to go unchecked.

S. 3117 Workers RESULTS Act

This bill is marketed as improving the bargaining process, but it would actually make it much harder for workers to form and keep unions. It does nothing to stop employers from dragging out first contract talks for years, and it creates new ways for employers to delay bargaining even further. The bill bans voluntary recognition, which is currently the simplest and fastest way for workers and employers to agree on union representation. It also requires two-thirds of all eligible workers to vote in an election for the result to count, a bar that, if applied to congressional and presidential elections, would invalidate every election result in the modern era. Shortening the contract bar and eliminating long-standing protections like the settlement bar and successor bar would provide new avenues for unionbusting and destabilize labor relations, especially when employers break the law or when ownership changes hands. Forcing elections to proceed even when there are serious unfair labor practice allegations would subject workers to coercive conditions instead of free and fair elections. And banning no raid agreements would create unnecessary conflict among unions instead of allowing unions the freedom to resolve their conflicts in productive ways.

S. 3124 Protection on the Picket Line Act

This bill would make it much harder for workers to defend themselves when they are disciplined during protected collective action. It revives a discarded standard that forces workers to clear several unnecessary hurdles before the NLRB can find retaliation unlawful. The NLRB already has a long-standing approach for handling these cases that asks a simple, commonsense question: did the worker's behavior lose legal protection because it crossed a serious line? Workers who engage in abusive or discriminatory conduct are already not protected. The bill solves no real problem and instead weakens protections for workers engaged in lawful collective action.

S. 3128 Worker Privacy Act

This bill limits unions to a single worker provided contact method and creates steep penalties for any alleged misuse, even though there is no evidence unions misuse this information. The proposal imposes one-sided restrictions on unions while employers remain free to use all worker contact data however they choose. This is not a genuine privacy measure. It is designed to make it harder for unions to reach workers and for workers to receive accurate information during an organizing campaign. Note that Senate campaigns legally obtain voter contact information through party databases, state voter files, and commercial data brokers, often without any direct consent from voters. Privacy seems to matter only when the goal is to restrict unions.

S. 3215 A bill to amend the National Labor Relations Act to make it an unfair labor practice to employ or represent an unauthorized alien, and for other purposes

This bill will create a new unfair labor practice under the NLRA to employ or represent an employee who does not have work authorization. This bill undermines long-established law providing that all employees working in the United States are protected by the NLRA, regardless of immigration status. Such protection is critical for all employees to be able to exercise their fundamental rights to organize and bargain together. When that right is removed from some workers in a workplace, the employer is handed a new weapon to divide workers and bust an organizing drive.

These bills must also be viewed against the real challenges workers face when they try to organize. Bipartisan proposals exist to fix real obstacles workers face, from the PRO Act to the Faster Contracts Act. The bills listed above move in the opposite direction of what working people across the country want and need.

For these reasons, the AFL-CIO urges you to oppose S. 3111, S. 3114, S. 3115, S. 3116, S. 3117, S. 3124, S. 3128, and S. 3215, and to refrain from cosponsoring any of these bills. Instead of strengthening worker voice, these bills strip away long-standing protections, weaken enforcement, undermine worker power, and destabilize the collective bargaining process.

Sincerely,

A handwritten signature in black ink, appearing to read "Jody Calemine". The signature is fluid and cursive, with a large initial "J" and "C".

Jody Calemine
Director, Government Affairs