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March 8, 2021

Florida Congressional Delegation

**RE: Chambers of Commerce Urge You to Vote No on H.R. 842, the “Protecting the Right to Organize (PRO) Act”**

Dear Members of Florida’s Congressional Delegation:

The undersigned Chambers of Commerce representing jobs creators and local businesses from across Florida, write to urge you to vote NO on H.R. 842, the “Protecting the Right to Organize (PRO) Act,” and to oppose the harmful impacts that this legislation would have on Florida’s economy.

The PRO Act would radically rewrite American labor policy and erase any sense of balance that has existed since Congress passed the National Labor Relations Act (NLRA) of 1935. While the bill includes many harmful provisions, some of the most damaging include: undermining secret ballot union elections, violating worker privacy, forcing workers to pay union dues, and imposing California’s stringent independent contractor test nationwide.

In addition, the legislation would effectively repeal Florida’s right-to-work laws that have helped Florida grow the jobs necessary to be the 17<sup>th</sup> largest economy in the world.

This Congress, the PRO Act has several additional provisions that make the bill even more troubling for Florida’s continued growth and competitiveness. These include:

- **Additional Violations of Worker Privacy:** H.R. 842 requires employers to turn over their workers’ personal information in a “searchable electronic format” with no privacy protections, thus risking exposure of their confidential information and opening the door to intimidation.
- **Decrease Turnout in Elections:** The National Labor Relations Board (NLRB) has always preferred in-person voting for union elections. In limited cases it has allowed mail-in ballots. During the COVID-19 pandemic, mail-in ballots have been far more frequent. This process, however, has led to decreased turnout. H.R. 842 would allow unions to permanently demand mail-in ballots, reducing opportunities for workers to express their choice about a critical workplace decision.
- **Further Limits on Free Speech:** H.R. 842 prohibits businesses from explaining that, per existing law, independent contractors are excluded from coverage of the NLRA.
- **Workers Can Check-In, But Can’t Check Out:** H.R. 842 codifies the NLRB’s so-called “election bar” doctrine, prohibiting a decertification election prior to the end of an existing

contract. This would, effectively, deny workers the option of voting out a union they were unhappy with.

- **Further Disruption of the NLRA's Balance:** The NLRA establishes a careful balance between the rights of unions and employers. Unions can launch strikes, but employers are given the commensurate ability to lock out the workplace. H.R. 842 would take away that right, leaving unions with one-sided power to apply economic pressure in a labor dispute.

These are just some of the harmful labor policies included in the PRO Act. We appreciate your consideration of this matter and respectfully request your support in maintaining a balanced labor environment for our respective local communities and for Florida as a whole. We need your help to keep Florida, Florida.

Sincerely,



David A. Hart, Executive Vice President  
The Florida Chamber of Commerce

Daytona Regional Chamber  
Destin Chamber of Commerce  
Greater Gainesville Chamber of Commerce  
Greater Pasco Chamber of Commerce  
Greater Winter Haven Chamber of Commerce  
Jackson County Chamber of Commerce  
JAX Chamber  
Northeast Polk Chamber of Commerce  
South Dade Chamber of Commerce  
Tavares Chamber of Commerce

CC: The Florida Congressional Delegation  
The Honorable Marco Rubio  
The Honorable Rick Scott  
Charles Caulkins, Chair, Florida Chamber of Commerce Board of Directors  
Mark Wilson, President and CEO, Florida Chamber of Commerce