

KEY VOTE ALERT!

February 3, 2020

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES:

The U.S. Chamber of Commerce strongly opposes H.R. 2474, the “Protecting the Right to Organize (PRO) Act.” **The Chamber will consider including votes on this legislation in our annual *How They Voted* scorecard.**

The PRO Act would radically rewrite American labor policy and eliminate any sense of balance that has existed since Congress passed the National Labor Relations Act (NLRA) in 1935. The bill would deliberately eliminate basic rights for employers, such as the fundamental right to have standing in representation cases before the National Labor Relations Board (NLRB).

This legislation would also undermine the private ballot provisions in the NLRA, and instead steers union certification elections towards a “card check” process. Under card check, workers would have to publicly sign cards indicating their support or opposition to a union. This has the obvious potential to expose workers to harassment and intimidation.

The PRO Act would also violate worker privacy by forcing employers to turn over to unions a great deal of information about their workers, including names, home addresses, phone numbers, e-mail addresses, shift schedules, and work locations. Under this legislation, workers could not opt-out from this disclosure.

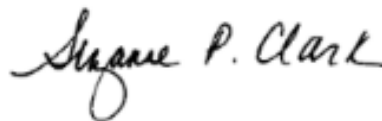
The PRO Act would apply nationwide the problematic definition of independent contractors recently enacted by California in a statute known as AB-5. That statute has made the legitimate use of independent contractors extremely difficult in the state. It is causing significant challenges for a host of businesses and has already resulted in job losses. It makes little sense to impose this restrictive definition on the rest of the country.

This legislation would effectively repeal state right-to-work laws in the 28 states that currently have them. Doing so would force workers to pay union dues in order to keep their jobs in workplaces that are unionized.

Finally, the bill would codify an unrealistic standard for joint-employer liability adopted by the NLRB in 2015. Doing so would impose liability based on “indirect” or “potential” control rather than on the clear standard that governed for decades. It would make employers liable for workers they don’t actually employ and workplaces they don’t actually control.

The PRO Act would harm the economy in myriad ways by enacting a slew of harmful labor policies, even beyond those listed above. The Chamber strongly urges you to vote against this deeply flawed bill.

Sincerely,



Suzanne P. Clark
President
U.S. Chamber of Commerce



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