

March 5, 2021

Arizona Congressional Delegation
House and Senate Office Buildings
Washington, D.C. 20515

Dear Arizona Congressional Delegation Members,

The undersigned chambers of commerce congratulate you on and thank you for your continued leadership in supporting Arizona's business community throughout the pandemic. The purpose of this letter is to express our opposition to the Protecting the Right to Organize (PRO) Act.

Should the PRO Act pass, the consequences for Arizona's employers and employees are very negative. Our organizations are strongly opposed to the PRO Act, and respectfully request that you do not support this legislation. The PRO Act will have extreme adverse impacts on Arizona's employers and employees, as the legislation:

- effectively bans our state's right-to-work laws by permitting "fair share" fees;
- adopts the California "ABC test" for independent contractors;
- codifies the Obama-era joint employment, ambush election, and persuader rules;
- reverses the Supreme Court's recent *Epic Systems* decision upholding class action waivers in arbitration agreements;
- permits greatly expanded damages and civil penalties; and
- allows for a backdoor card-check route in instances where a "violation" has occurred.

Each of these points will negatively impact Arizona's employers and employees, and could potentially lead to worker harassment and intimidation by requiring employers to provide employees' personal information to unions. Under the current PRO Act language, Arizona's employees cannot opt out and maintain their privacy.

On the issue of employee/employer arbitration, which is prohibited by the bill, arbitration is far more equitable, favoring employees as they often win more versus class action lawsuits (32% vs. 11%), and win higher amounts (\$113k vs. \$52K).

Thank you for your consideration of our strong opposition to the PRO Act. We are available to further discuss impacts to our employers and employees as needed.

Sincerely,



Sheri Heiney
Chair, Arizona Chamber Executives (and chambers undersigned)

Chandler Chamber of Commerce
Carefree Cave Creek Chamber of Commerce
Coolidge Chamber of Commerce
Greater Phoenix Chamber
Greater Flagstaff Chamber of Commerce
Green Valley Sahuarita Chamber of Commerce
Lake Havasu Area Chamber of Commerce
Marana Chamber of Commerce
Nogales-Santa Cruz County Chamber of Commerce
Queen Creek Chamber of Commerce
Prescott Chamber of Commerce
Prescott Valley Chamber of Commerce
West Valley Chamber of Commerce Alliance:
 Buckeye Valley Chamber of Commerce
 Glendale Chamber of Commerce
 Peoria Chamber of Commerce
 Southwest Valley Chamber of Commerce
 Surprise Regional Chamber of Commerce
 Wickenburg Chamber of Commerce