

KEY VOTE ALERT!

September 23, 2020

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

The U.S. Chamber of Commerce strongly opposes an amendment to H.R. 4447, the “Clean Economy Jobs and Innovation Act,” expected to be offered by Rep. Abby Finkenauer, that would impose an array of labor and employment restrictions on contractors performing work under this bill. **The Chamber will consider including votes on this amendment in our annual “How They Voted” scorecard.**

This amendment is a compilation of rejected and flawed ideas stretching back more than 30 years, along with some that are more recent. The net effect, if this amendment was to become law, would be to eliminate many contractors and their subcontractors from being able, or willing, to work on projects funded by this bill, which would defeat the purpose of enactment.

Some of the most troubling provisions of this amendment would:

- Require any contractor or subcontractor to be a party to a project labor agreement, thereby forcing non-union contractors to operate as union contractors;
- Reinstate the requirement from President Obama’s E.O. 13673 and implements FAR regulations that contractors must report citations and claims under a wide array of labor and employment laws before they have exhausted their due process rights;
- Prohibit pre-dispute arbitration for employee complaints, contrary to the Federal Arbitration Act and Supreme Court precedence;
- Impose California's anti-independent contractor statute that effectively eliminates the use of independent contractors, without the many exceptions included in the California law;
- Mandate "neutrality" for union organizing campaigns, *i.e.* the employer is silenced while the union is permitted to communicate as it wishes; and
- Impose a prohibition on background checks before extending a job offer, unless certain criteria are met.

The Chamber strongly urges you to oppose this amendment, which would weaken the underlying legislation.

Sincerely,



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U.S. Chamber of Commerce



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