

COALITION FOR A
DEMOCRATIC WORKPLACE

September 5, 2017

Dear Chairman Sessions and Ranking Member Slaughter:

On behalf of millions of job creators concerned with mounting threats to the basic tenets of free enterprise, the Coalition for a Democratic Workplace (CDW) writes in support of Chairman Walberg's amendment #110 to H.R. 3354. This provision would provide relief from the National Labor Relations Board's (NLRB) harmful ambush elections rulemaking and restore a more balanced election process.

CDW is a broad-based coalition of over 600 organizations representing hundreds of thousands of employers and millions of employees in various industries across the country concerned with the disruption caused by the NLRB's eight-year campaign to re-write labor laws. CDW was originally formed in 2005 in opposition to the so-called Employee Free Choice Act (EFCA), which would have replaced secret ballots in unionization elections with "card check," a process that would have forced employees to choose whether to sign union authorization cards in front of coworkers and union organizers, exposing employees to potential intimidation and harassment by those in favor of unionization. When EFCA was defeated, CDW turned its focus to regulatory overreach by the NLRB, which has tried to enact the goals of EFCA through its decisions and regulations.

On December 12, 2014, the Board published its final ambush elections rule, drastically changing the process for union representation elections. The rule shortened the time between the union filing a petition for election and the NLRB holding of that election from the previous median time of 38 days to the current median of approximately 20 days, and even as few as 14 days in some cases. This change has effectively limited employers' ability to communicate with employees prior to a representation election and severely limited worker access to the information needed to make an informed decision about whether to vote for union representation. The rule also required employers provide, within two business days of the election agreement or decision directing an election, employees' personal telephone numbers and e-mail addresses without providing employees an opportunity to determine which contact information would be handed over, seriously infringing on employees' privacy rights and potentially exposing them to harassment and intimidation.

Addressing the harm inflicted by these overreaching changes on both American workers and job creators is a top priority for CDW, and we urge the Committee to adopt the Walberg amendment.

Sincerely,

Coalition for a Democratic Workplace