



## COALITION FOR A **DEMOCRATIC WORKPLACE**

September 26, 2024

Dear Representative:

The Coalition for a Democratic Workplace (CDW) urges your support of H.J.Res. 203, a Congressional Review Act resolution to nullify the National Labor Relations Board's (NLRB) "Representation-Case Procedures: Election Bars; Proof of Majority Support in Construction Industry Collective-Bargaining Relationships" Final Rule (89 Fed. Reg. 62952), which was issued on August 1, 2024.

CDW is a broad-based coalition of hundreds of organizations representing hundreds of thousands of employers and millions of employees in various industries across the country concerned with a longstanding effort by some in the labor movement to make radical changes to the National Labor Relations Act without regard to the severely negative impact they would have on employees, employers, and the economy. CDW was formed in 2005.

The NLRB's Final Rule eliminated common sense measures meant to protect workers' rights during the union representation election process. The rule:

- Reinstated the Board's "blocking charge" policy, which allows unions to halt representation or decertification elections by alleging the employer has committed unfair labor practices until the charges are resolved;
- Eliminated the 45-day window in which employees could challenge a union's majority support and demand a secret ballot election after their employer has voluntarily recognized the union based on signed authorization cards, or "card check;" and
- Rescinded the requirement that unions in the construction industry maintain proof of majority support if they want an exclusive collective bargaining relationships that is resistant to challenge.

These policies force employees into unions they may not want and make it more difficult for employees to decertify unions that no longer have support from the workforce, undermining employee free choice.

If passed, the resolution would nullify the rule in its entirety and prevent the Board from issuing a substantially similar rule without express authorization from Congress, ensuring no future NLRB can move to strip workers' of these essential rights and protections. We, therefore, urge you to support H.J.Res. 203.

Sincerely,

Kristen Swearingen  
Chair  
Coalition for a Democratic Workplace