

The National Labor Relations Board's Aggressive Agenda Threatens Manufacturers

Americans desperately need jobs, yet the National Labor Relations Board (NLRB) has undertaken an aggressive agenda that threatens employers' ability to create jobs and economic growth. When the NAM surveyed its members about the NLRB's agenda, 69 percent said the agency's actions would hurt their ability to put people to work.

In addition to hindering job creation, some of the NLRB's proposed rules and upcoming decisions would shift control of the workplace away from employers and make them less competitive by limiting their flexibility.

Manufacturers must make it clear to the Administration and Congress that the NLRB's aggressive agenda is having a very negative impact on the manufacturing sector. Congress and the Administration need to hear about the harmful effects of the NLRB's aggressive agenda!

The NLRB's Agenda Impacts Job Creation and Dictates the Structure of an Employer's Relationship with Its Employees

- The NLRB recently indicated that it will implement a rule relating to election procedures that would effectively deny employees the ability to make fully informed decisions about whether to join a union.
- The NLRB's proposed "snap election" or "quickie election" regulation would allow unions to begin organizing a workforce secretly and then surprise an employer once enough signatures are collected.
- This new regulation would give employers as few as 10 days to communicate with their employees between the time they learn that a union is trying to organize the workforce and the election.
- The NLRB is set to decide a case, *Specialty Healthcare*, that would allow union organizers to set up micro-unions in the workplace.
- In a workplace with micro-unions, employers would have to contend with multiple bargaining units. Employers would face time-consuming and costly administrative demands on range of personnel issues.
- Together, the NLRB's snap election rules and upcoming decision in *Specialty Healthcare* could have a more significant impact than the Employee Free Choice Act, which manufacturers helped defeat in Congress.

The NLRB's Actions Put Jobs at Risk

- In a recent poll conducted by the NAM, 96 percent of respondents said they opposed the NLRB's action against Boeing. Sixty percent said the complaint against Boeing has affected or could affect their plans for hiring.
- The NLRB's complaint has a chilling effect on growth and job creation because it creates uncertainty for manufacturers that are considering expanding and opening new facilities.
- The NLRB's complaint has garnered bipartisan opposition. In an *amicus* brief filed in the case, a bipartisan group of 16 state attorneys general wrote that the NLRB's action in the Boeing case "will harm the ability of every State—both right-to-work States and non-

right-to-work States—to attract businesses and promote new job growth.” John Bryson, President Obama’s nominee to serve as Commerce Secretary, expressed concerns about the NLRB’s complaint during his confirmation hearings in the Senate.

- The NLRB’s complaint against Boeing could force the company to abandon its production facility for 787s in South Carolina. Boeing invested \$1 billion in the facility, which began operating on June 10, and hired 1,000 employees to get it up and running.

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