

Joe Trauger

Vice President

Human Resources Policy

October 12, 2011

The Honorable John Kline
Chairman
Committee on Education and Workforce
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Kline:

On behalf of the National Association of Manufacturers (NAM), I am writing to express manufacturers' strong support for H.R. 3094, the Workforce Democracy and Fairness Act.

The NAM is the nation's largest industrial trade association, representing small and large manufacturers in every industrial sector and in all 50 states. The NAM's mission is to enhance the competitiveness of the manufacturing economy by advocating policies that are conducive to U.S. economic growth.

The recent actions and the decisions of the National Labor Relations Board (NLRB) demonstrate the Board's commitment to pursue an activist agenda that threatens economic growth and jobs. This agenda would burden manufacturers with harsh rules, making it harder to do business in the United States. If enacted, the Workforce Democracy and Fairness Act would restore the balance needed to ensure employees receive the information they need to make an informed decision and give job creators the certainty they require to be confident in hiring and expansion.

According to the NLRB's proposed "ambush election" rule, employers would have 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. This proposed rule represents a dramatic shift in union election procedures that have stood for decades. If finalized, this new regulation would pose a considerable burden on employers and limit the ability of employees to make an informed decision on joining a union.

Additionally, the Board's decision in the Specialty Healthcare case represents the most dramatic change in labor law in 50 years. The decision sets forth a new standard for determining which group or "unit" of employees will vote in the union election. These "micro-unions" could cripple an employer's ability to manage operations in an effective way, resulting in a manufacturing facility with separate unions representing custodial staff, assemblers, and fitters. We believe this decision will unnecessarily divide employees and place an extraordinary burden on employers.


Your bill, by guaranteeing an employer's ability to participate in a fair union election process by establishing a 14 day timeframe for an employer to prepare a case to be heard by the NLRB and establishing no union election will be held in less than 35 days, ensures employees are able to make fully informed decisions about joining a union. Your bill would also

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correctly reestablish decades of law, reinstating the standard by which employees vote in the union elections and preventing the possibility of several “micro-unions” at one facility.

We look forward to continue working with you on our shared goals for a strong economy, job creation and promoting fair and balanced labor laws. Thank you for bringing the Workforce Democracy and Fairness Act forward in the Committee. I urge its swift enactment.

Sincerely,

A handwritten signature in black ink, reading "Joe Trauger", is centered on a light green rectangular background. The signature is written in a cursive, flowing style.

Joe Trauger
Vice President
Human Resources Policy