

Joe Trauger

Vice President

Human Resources Policy

February 9, 2015

The Honorable John Kline
Chairman
Committee on Education and the 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.J. Res. 29, the "Resolution of Disapproval" of the National Labor Relations Board's (NLRB) rule relating to representation election procedures.

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 NLRB's latest rule relating to representation election procedures, finalized in December, represents one of many recent controversial actions and decisions made by the NLRB. These actions would burden manufacturers with harsh rules, making it harder to do business in the United States. The rule would limit what issues and evidence can be presented at a pre-election hearing, as well as require employers to hand over employees' private information. This rule will potentially leave important questions unresolved until after an election has taken place, making these questions moot, but it will put employees' private information vulnerable to harassment and intimidation.

Furthermore, the rule would also eliminate the current "grace period," compressing the time frame for elections to occur in approximately 20 days. Business owners would effectively be stripped of legal rights ensuring a fair election and those who lack resources, or in house legal expertise, will be left scrambling to navigate and understand complex labor processes with too little time. Moreover, employees will be denied the ability to make fully informed decisions about whether they want to join a union while their private information is being disseminated without knowing who or where it is being received.

Finally, the NLRB has not provided any evidence such a rule is needed in order to address a systematic problem of representation election delays. In fact, the NLRB's own data shows over the last decade, the median time frame in which an election takes place is 38 days and over 95 percent take place within 56 days when there is a pre-election challenge. This data clearly does not support such a dramatic change in policy. Absent any justification, the NAM believes the rule is unnecessary and will create problems where none currently exist.

H.J. Res. 29 would send a strong message to the NLRB and rein in the agency, whose actions, including the Ambush Election Rule, have resulted in the most dramatic changes to

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labor law in 75 years. We look forward to continuing to work with you on our shared goals for a strong economy, job creation and promoting fair and balanced labor laws.

Thank you for bringing the "Resolution of Disapproval" forward in the Committee. I urge its swift enactment in the Senate.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Trauger", is centered on a light green rectangular background.

Joe Trauger
Vice President
Human Resources Policy

cc: The House of Representative Members