

CHAMBER OF COMMERCE
OF THE
UNITED STATES OF AMERICA

R. BRUCE JOSTEN
EXECUTIVE VICE PRESIDENT
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October 26, 2011

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

The Honorable George Miller
Ranking Member
Committee on Education and the Workforce
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Kline and Ranking Member Miller:

The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of every size, sector, and region supports H.R. 3094, the "Workforce Democracy and Fairness Act," which would restore balance to U.S. labor laws.

Since efforts in previous Congresses to pass the Employee Free Choice Act (EFCA) have failed, the National Labor Relations Board (NLRB or Board) has been working to enact similarly radical changes to America's labor laws through the administrative process. While the Board's outrageous complaint against the Boeing Company has rightfully garnered many headlines, other actions by the Board threaten to dramatically tilt the labor-relations landscape in favor of organized labor at the expense of job creators and employees.

The Workforce Democracy and Fairness Act would amend the National Labor Relations Act in order to prevent the Board from enacting two of these job killing policy initiatives: its proposed "ambush" election rule and its decision in *Specialty Healthcare*. H.R. 3094 would provide for fair representation hearing processes and would also guarantee that employees have ample opportunity to hear both sides of the unionization debate before casting their ballots in a representation election. Additionally, H.R. 3094 would codify the long-standing criteria that the Board has traditionally used for determining the appropriateness of a proposed bargaining unit. Simply put, the modest changes that would be provided by H.R. 3094 would restore the legal *status quo* that existed prior to the Board's radical policy shift.

The Chamber believes the Workforce Democracy and Fairness Act would be a positive step towards re-establishing the important balance struck by the National Labor Relations Act. The Chamber supports H.R. 3094 and urges the Committee to report this legislation to the full House as expeditiously as practicable.

Sincerely,



R. Bruce Josten

cc: Members of the House Committee on Education and the Workforce