



24 October 2011

Dear Representative:

On behalf of the Alliance for Worker Freedom (AWF), an organization established in 2003 to combat anti-worker legislation and promote free and open labor markets, I urge you to support H.R. 3094, the Workforce Democracy and Fairness Act. Restoring long held worker rights, the Workforce Democracy and Fairness Act will overturn two of the National Labor Relations Board's (NLRB) most radical proposals.

Unable to facilitate unfair unionization through Congressional action, the Obama Administration has utilized the NLRB to achieve similar ends. With union membership falling year after year, the NLRB issued a torrent of proposals to inflate unions' numbers. Two of the most egregious proposals to come from the Board are the ambush elections rulemaking and the gerrymandering of a collective bargaining unit decision.

The proposed ambush election rulemaking would shorten the amount of time between when a union calls an election, and when that election is actually held. Employers are currently afforded, on average, 31 days to educate their employees about the pros and cons of unionization. Effectively silencing an employer, the NLRB rulemaking would allow the NLRB to hold an election only ten days after the union informs the employer of intent to unionize. More importantly, this will give workers an insufficient amount of time to consider joining a union. Furthermore, when a worker casts his ballot for or against unionization, they will not be entirely informed.

The second component of the Workforce Democracy and Fairness Act is to restore the traditional interpretation of a bargaining unit. In the *Specialty Healthcare* decision, the Board established a new standard for what constitutes a collective bargaining unit. This ruling will allow unions to organize small, discrete groups of workers. Under this new decision, workers who are grouped with pro-union workers during an election would essentially be disenfranchised.

Together these rules undermine worker choice and silence job creators. Reaffirming worker protections from overeager unions, the Workforce Democracy and Fairness Act overturns these ill-advised NLRB proposals.

In order to reinstate fair, democratic elections and protect workers from federal overreach, I urge you to pass HR 3094, the Democracy and Fairness Act.

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