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(Original Signature of Member)

113TH CONGRESS  
2D SESSION

# H. R.

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To amend the National Labor Relations Act with respect to the timing of elections and pre-election hearings and the identification of pre-election issues.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. KLINE introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To amend the National Labor Relations Act with respect to the timing of elections and pre-election hearings and the identification of pre-election issues.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Workforce Democracy  
5 and Fairness Act”.

6 **SEC. 2. PRE-ELECTION HEARINGS.**

7 Section 9(c)(1)(B) of the National Labor Relations  
8 Act (29 U.S.C. 159(c)(1)(B)) is amended—

1           (1) by inserting “, but in no circumstances less  
2           than 14 calendar days after the filing of the peti-  
3           tion” after “upon due notice”;

4           (2) by inserting after “with respect thereto.”  
5           the following: “An appropriate hearing shall be one  
6           that is non-adversarial with the hearing officer  
7           charged, in collaboration with the parties, with the  
8           responsibility of identifying any relevant and mate-  
9           rial pre-election issues and thereafter making a full  
10          record thereon. Relevant and material pre-election  
11          issues shall include, in addition to unit appropriate-  
12          ness, the Board’s jurisdiction and any other issue  
13          the resolution of which may make an election unnec-  
14          essary or which may reasonably be expected to im-  
15          pact the outcome of the election. Parties may inde-  
16          pendently raise any relevant and material pre-elec-  
17          tion issue or assert any relevant and material posi-  
18          tion at any time prior to the close of the hearing.”;  
19          and

20          (3) by striking “and shall certify the results  
21          thereof” and inserting “to be conducted as soon as  
22          practicable but no earlier than 35 calendar days  
23          after the filing of an election petition. The Board  
24          shall certify the results of the election after it has  
25          ruled on each pre-election issue not resolved before

- 1 the election and any additional issue pertaining to
- 2 the conduct or results of the election”.