



National Grocers Association

April 9, 2014

The Honorable Chairman John Kline
Education and the Workforce Committee
2181 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Ranking Member George Miller
Education and the Workforce Committee
2181 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Kline and Ranking Member Miller:

As the House Education and the Workforce Committee marks-up the “Workforce Democracy and Fairness Act” (H.R. 4320) and the “Employee Privacy Protection Act” (H.R. 4321) today, the National Grocers Association (NGA) urges your strong support. These bills address reforms that help protect employer free speech and privacy, which the National Labor Relations Board (NLRB) has recently attempted to cripple through its “Quickie” Ambush Election proposed rule, which seeks to drastically change the long standing policies governing union election processes in the workplace.

NGA independent retail and wholesale grocers are entrepreneurs and job creators with significant economic impact across nearly every community in America. The independent grocery channel is accountable for close to 1 percent of the nation's overall economy and is responsible for generating \$131 billion in sales, 944,000 jobs, \$30 billion in wages, and \$27 billion in tax revenue, all while operating on profit margins which continue to hover around 1 percent. We are proud that the communities we operate in are often the neighborhoods we live in and believe our employees are our most valuable asset, which is why these recent NLRB proposals are of serious concern to both our businesses and our employees.

The NLRB's Ambush Election Rule will significantly shorten the time between the filing of a petition for a union election and the election date by giving workers as few as 10 days to weigh the options of joining a union and will leave employers with little to no time to prepare for a pre-election hearing. NGA strongly supports the “Workforce Democracy and Fairness Act” (H.R. 4320) as it seeks to rectify our concerns on the NLRB proposal by guaranteeing that no union election will be held in less than 35 days. This will ensure both employers and employees are able to participate in the most fair union election process possible. In addition, this bill will provide employers with no less than 14 days to prepare cases to present before the NLRB, protects employers' rights to raise concerns throughout the pre-election hearings, and addresses issues of voter eligibility before an election takes place.

Also in the NLRB Ambush Election Rule are proposals that require employers to disclose employees' personal information to union organizers including access to employee private information such as names, home addresses, phone numbers, email addresses, and work schedules. In an attempt to protect our employees' private information, NGA strongly supports the “Employee Privacy Protection Act” (H.R. 4321) which seeks to empower workers to control the disclosure of their personal information, not employers.

Thank you for your consideration. We look forward to continuing to work with the Committee on these important issues.

Sincerely,

A handwritten signature in cursive script that reads "Greg Ferrara".

Greg Ferrara
Vice President, Public Affairs
National Grocers Association (NGA)

cc: Members of House Education and the Workforce Committee