



July 27, 2011

***To All Members of the U.S. House of Representatives:***

I am writing on behalf of the 40,000 members of the National Association of Wholesaler-Distributors (NAW) to urge your support for H.R. 2587, the Protecting Jobs from Government Interference Act, when it is considered by the full House. This much-needed legislation would prohibit the National Labor Relations Board from ordering an employer to open, relocate, transfer or shut down a facility.

It is unfortunate that the reckless and irresponsible actions of the current National Labor Relations Board (NLRB) have made this legislation – and hopefully other bills to follow – necessary. The Board’s Acting General Counsel’s issuance of a complaint against Boeing for deciding to produce the second line of the 787 Dreamliner aircraft in its South Carolina facility was an extraordinary abuse of government power. The Acting General Counsel’s requested remedy, that Boeing stop producing the aircraft in South Carolina and move that production to its Washington state facility, was an unprecedented assault on the very basic tenets of our free market system.

If the National Labor Relations Board has the power to superimpose its will over the economic and business decisions of America’s job creators, there is indeed little freedom left for America’s employers.

Regrettably, the Acting General Counsel’s assault on Boeing is but one of a series of actions the Board has taken to interfere with the ability of employers to run and manage their businesses, and of employees to be fully informed about critical issues affecting their jobs. The Board’s newly proposed “quickie elections” rule clearly reflects Board member Craig Becker’s previous assertions that employers “should be stripped of any legally cognizable interest in their employees’ election of representatives” and that “... employers should have no right to be heard in either a representation case or an unfair labor practice case, even though Board rulings might indirectly affect their duty to bargain.”

Couple “snap elections” with the Department of Labor’s proposed “Persuader Agreement” rule, impeding an employer’s ability to obtain counsel in a union organizing campaign, and employers would truly become mere bystanders in union representation efforts – despite being directly impacted by the results of those campaigns.

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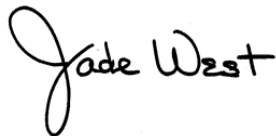
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Add impending decisions in Specialty Healthcare and Roundy's – the first to permit the creation of “micro bargaining units” in a workplace with complete disregard of the nature of the jobs the workers are performing, and the latter to require employers to give non-employee union organizers access to their private property even if the organizers' purpose is to harm the company – and the picture is almost complete.

The National Labor Relations Board is authorized by statute to enforce the National Labor Relations Act – a law that establishes the rights and obligations of unions, employees and employers. Sadly, the current Board's unmistakable and unapologetic mission is not to enforce the statute, but to ignore the welfare of employees and employers alike, and to work instead to advance the interests only of organized labor. The Board's clear goal is to increase union membership, using the power of the Federal government to reverse the recent decline which has resulted in a mere 6.9 percent of private sector workers choosing union representation.

The Board's actions are unacceptable; the implementation of their rules and complaints will harm our struggling economy and cost jobs while unemployment still exceeds 9 percent. The Protecting Jobs from Government Interference Act is a small but necessary step in a much-needed effort to curb this Board's abuse of power. We urge you to vote for this important bill, and we will include votes on or in relation to H.R. 2587 as key votes for this Session of Congress.

Sincerely,

A handwritten signature in black ink that reads "Jade West". The signature is written in a cursive, flowing style.

Jade C. West  
Senior Vice President-Government Relations