

Opening Statement of Rep. Rick Allen (R-GA)  
Education and Workforce Committee  
Health, Employment, Labor, and Pensions Subcommittee  
Examining the Policies and Priorities of the NLRB  
June 4, 2026

(As prepared for delivery)

Today's hearing will examine the policies and priorities of the National Labor Relations Board under the leadership of Chairman James Murphy and General Counsel Crystal Carey. The Biden-Harris NLRB worked tirelessly to prop up unpopular unions. The Trump NLRB has its work cut out for it, and today we will hear how the Board is working to fix the damage caused by the previous administration.

The NLRB was designed to be a neutral arbiter of workplace disputes; however, during the Biden-Harris administration, the Board sided with union leaders, even when doing so meant undermining worker choice.

The Board's 2023 *Cemex* (SIMM-ex) decision expanded card-check organizing and imposed mandatory union recognition—certifying unions that never won a vote. The Board also restored Obama-era policies, including the blocking charge rule, which often delayed votes to remove a union for months or years.

The previous administration's Board curtailed employers' ability to speak freely with employees about what it means to choose union

representation and limited employers' ability to protect employees from discrimination and harassment at work.

The 2024 *Amazon.com Services LLC* decision overturned 75 years of Board precedent, ruling that it is an unfair labor practice for an employer to require employees to attend a meeting during which the employer expresses its views on unionization. The *Stericycle* and *Lion Elastomers* decisions made it harder for employers to discipline employees who use racist, sexist, or sexually explicit language at work.

Finally, the Biden-Harris Board waged an aggressive campaign to classify more Americans as employees under the *National Labor Relations Act*. They did so in an effort to increase the number of potential union members in the hopes of funneling additional millions of dollars to union leaders who turn around and funnel that money to the political priorities of the Democrat Party. In the view of the previous administration's General Counsel and Board, graduate students, student athletes, and independent contractors should all be classified as employees, organized into unions, and required to pay union dues.

The Biden-Harris Board is gone, but General Counsel Carey, Chairman Murphy, and the rest of the Board are left to deal with the consequences. During the Biden-Harris years, the case backlog tripled. Open non-postal employer cases rose from 5,900 at the end of 2020 to 17,409 at the end of 2024. Closed cases dropped below new filings every year from 2022 to 2024. Median processing time for closed cases nearly doubled. And the informal settlement rate plummeted from 8.2 percent to 3.6 percent.

No matter how hard the Board works to reduce its case backlog, it can only decide so many cases while operating with three members instead of five and adhering to its tradition of overruling precedent only with three votes. I encourage the Senate to confirm President Trump's additional nominees to fill the remaining vacancies so the Board can quickly reduce the backlog.

Chairman Murphy and General Counsel Carey, you are the first sitting General Counsel and Member of the NLRB to appear before the Committee in nearly 20 years. I look forward to hearing your plans to address NLRB's challenges and continue protecting the rights of workers.