



COMMITTEE ON  
EDUCATION & LABOR  
REPUBLICANS

COMMITTEE  
STATEMENT

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**Opening Statement of Rep. Virginia Foxx (R-NC), Republican Leader**  
**Full Committee Hearing**  
**“In Solidarity: Examining Barriers to Organizing”**  
**September 14, 2022**

(As prepared for delivery)

“Despite Democrats’ aggressive attempts to force union representation on workers, Republicans are committed to ensuring workers have the freedom to choose whether they want to join a union.

“I’d like to remind my colleagues that federal law already protects the right of employees to organize, or to refrain from doing so. Any reforms to our labor laws should help workers and spur economic growth, not exclusively promote the interests of union bosses. There is a reason why the PRO Act cannot clear the Senate. It is a deeply unpopular bill that undermines basic, longstanding worker rights and would take a wrecking ball to Main Street. Republicans just want fair and neutral labor laws.

“Instead of working together to create a level playing field, Democrats want to pass a union wish list bill to build on what they claim is a historic surge in unionizing. But Democrats are cherry-picking data to sell the narrative that unions are on the rise. For example, Democrats will likely point out that Workers United has unionized more than 200 Starbucks locations, but they will fail to mention this is less than three percent of the company’s more than 9,000 wholly owned stores.

“Also, not on the list of Democrat talking points is that only one out of 270 Apple stores have voted to unionize. They will also probably ignore the fact that the private sector union membership rate is the lowest it has ever been. Bottom line, Democrat claims that interest in unionization is on the rise is another drummed up narrative by the left-wing media and Democrat politicians.

“If unions want to know why they do not appeal to workers, they need to take a long hard look in the mirror. Most unions spend a significant amount of their money on radical political activity—not advocating for workers. Further, union corruption has been a major issue, which previous administrations worked hard to tackle. Yet Democrats, who are in the pocket of Big Labor, continue to resist transparency measures that would keep workers informed on how their union dues are being spent.

“Unions are relying on the Biden administration to twist the arms of workers into unionizing. President Biden, who promised to have the most pro-union administration in history, is complying. He established a Task Force on Worker Organizing and Empowerment to mobilize all federal agencies in his crusade to

unionize as many workers as possible.

“Many federal departments are taking this mandate seriously, especially the Department of Labor. For example, Labor Secretary Marty Walsh, a former union boss, marched in a picket line at a Kellogg’s plant in Lancaster, Pennsylvania, last October. Mr. Walsh apparently forgot that he is supposed to promote the interests of all workers, not act as an activist on behalf of unions.

“Perhaps most egregious, the Biden administration is working to implement provisions of the PRO Act by executive fiat. The radical Pro-Union Bosses Act would ban right-to-work laws, forcing workers to pay union dues, even if they object to union representation. If the Democrats had their way, free choice would be a thing of the past in the American workforce.

“It would also, among other things, undermine the independent contractor and franchise models by codifying the Obama-era job-killing joint-employer standard, and California’s disastrous ABC test.

“To make matters worse for job creators and workers, the National Labor Relations Board (NLRB) is being used as the litigation arm of Big Labor. Instead of promoting fair labor practices, the NLRB is exhuming decades-old policies like the Joy Silk doctrine, which would allow unions to organize a workplace without ever receiving majority support in a secret-ballot election. Replacing the secret ballot with a card-check system would open the door for intimidation and coercion of workers.

“The Biden-appointed NLRB General Counsel is also challenging longstanding precedent regarding employers’ right to educate workers on the downsides of union representation. This would dramatically infringe on an employers’ freedom of speech and deprive workers of hearing both sides of the argument regarding unionization.

“But to Democrats there is only one choice—unionize or bust.

“Additionally, the NLRB has yet to answer for its alleged collusion with Workers United during a recent Starbucks union election. According to an NLRB whistleblower, certain NLRB officials colluded with agents of Workers United to arrange for unobserved, in-person voting in NLRB offices during NLRB-ordered mail-ballot elections. NLRB officials also shared voting data with Workers United to increase turnout among pro-union employees. Republicans will continue to demand answers and accountability from the NLRB, and I encourage my Democrat colleagues to do the same.

“Democrats are beholden to union bosses. Unions send huge portions of their worker-funded war chests to Democrat political organizations, campaigns, and left-wing organizations. It’s no wonder Democrats kowtow to union bosses.

“Yet being pro-union does not mean being pro-worker, and in too many instances, workers and job creators are being harmed by unions. Republicans will continue to stand for a worker’s right to choose.”

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