



## The Employee Rights Act of 2018

Introduced by Rep. Phil Roe (R-TN)

### BACKGROUND

In 1935, Congress enacted the *National Labor Relations Act* (NLRA), which, among other provisions, gave employees a choice about whether or not they associated with a labor union. It's been more than 40 years since the NLRA was last amended, and its age is showing.

Labor unions have slowly encroached on employees' freedom of association, and Congress should update relevant laws in order to restore the rights of workers in the workplace and uphold the rights of workers who do not wish to be a part of union activities. Presently, unions can only be decertified through an overly-complicated process that can easily be blocked. What is more, many unions remain entrenched in workplaces where the employees that voted them in have long-since retired or moved on, leaving current employees with union representation they never voted for.

Unions also have the ability to publicly pressure workers into signing a card agreeing to union representation during very public card check campaigns. Union organizers may resort to harassment and intimidation tactics, preventing workers from following their conscience and ensuring a win for the union. Additionally, in states that lack right-to-work protections, unions may use non-member dues for expenses unrelated to collective bargaining, like political activities.

Deciding whether or not to join a union is a deeply personal decision, affecting everything from workers' paychecks to their benefits and other terms and conditions of their employment for years to come. The NLRA must be modernized to meet the needs of today's workers.

### THE EMPLOYEE RIGHTS ACT OF 2018

Introduced by Rep. Phil Roe (R-TN), H.R. 6544, the *Employee Rights Act of 2018*, will provide much-needed reforms to the NLRA and the *Labor-Management Reporting and Disclosure Act* (LMRDA) to protect the rights of workers, employers, and unions. The legislation:

- ✓ Amends the NLRA so that a union must be certified through a secret ballot election rather than a card check campaign in order to protect workers' privacy.
- ✓ Updates the LMRDA to require unions to receive permission from employees before using their union dues for activities not related to collective bargaining.
- ✓ Allows employers to request a secret ballot recertification election if more than 50 percent of a bargaining unit's membership turns over.