

CHAMBER OF COMMERCE
OF THE
UNITED STATES OF AMERICA

R. BRUCE JOSTEN
EXECUTIVE VICE PRESIDENT
GOVERNMENT AFFAIRS

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July 20, 2011

The Honorable John Kline
Chairman
Committee on Education and the Workforce
United States House of Representatives
Washington, DC 20515

Dear Chairman Kline:

The U.S. Chamber of Commerce, the world's largest business federation, representing the interests of more than three million businesses and organizations of every size, sector, and region supports H.R. 2587, the "Protecting Jobs from Government Interference Act," and urges the Committee to consider additional appropriate legislation to rein-in the National Labor Relations Board (NLRB) and the Department of Labor.

The NLRB and DOL, through numerous decisions, proposed regulations, and other policy, are making it harder for businesses to justify investing in the United States. The most obvious example is the complaint issued by the NLRB's Acting General Counsel seeking to force The Boeing Company to relocate production of 787 Dreamliners from South Carolina to Washington State.

While Boeing will eventually have its day in court, the process will likely take years and exhaustive litigation expenses. In the meantime, businesses considering investing in new facilities in the United States will likely think twice and consider the risk that their decisions may be second guessed by the NLRB. By prohibiting the NLRB from seeking the extreme remedy of forcing the relocation of production, this legislation would help remove an element of uncertainty and encourage investment in new U.S. facilities.

We also urge the Committee to consider additional oversight and legislative options to restore balance to interpretation and enforcement of labor laws. Among the most serious issues threatening employers are:

- DOL proposed revision of the “advice” exemption, which is little more than an attempt to use disclosure regulations to bully employers into refraining from exercising their free speech rights;
- NLRB’s proposed ambush election rules, which would make it significantly more difficult for employers, especially small employers, to respond to union campaigns; and
- NLRB’s likely change to the rules for determining appropriate bargaining units, which would provide unions much greater ability to gerrymander units and create micro or fractured units.

DOL and NLRB have embarked on a course to increasingly destabilize the long-established balance struck by the National Labor Relations Act protecting employee, union, and employer rights and clearly Congress must act. H.R. 2587 would be an important first step to restoring the balance.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Bruce Josten". The signature is fluid and cursive, with the first name "R." and last name "Josten" being the most prominent parts.

R. Bruce Josten