



September 24, 2019
The Honorable Bobby Scott
Chairman
Committee on Education and Labor
United States House of Representatives
Washington, DC 20515

Dear Chairman Scott,

The Power and Communication Contractors Association (PCCA) represents contractors, manufacturers, and distributors who build and repair America's power and communications infrastructure, including electric transmission, distribution, and substation facilities and broadband, telephone, and cable television systems. PCCA opposes the Protecting the Right to Organize (PRO) Act (HR 2474), which is little more than an attempt to increase union membership at any cost. We encourage all members of the Education and Labor Committee to vote against HR 2474 when it is considered on September 25.

Like the Employee Free Choice Act (EFCA) debated more than 10 years ago, the PRO Act would limit employees' ability to choose or reject union representation through a secret ballot process. In fact, the bill would increase the circumstances under which the government can impose union representation despite employee opposition expressed in a secret ballot election. Further, the PRO Act would allow arbitrators with little or no business experience to set contract terms. Arbitrator decisions would be obligatory, whether or not the parties agree to the terms.

Among the more harmful provisions of the PRO Act are:

- Codifying into law the controversial "joint-employer" standard, which would expose most business relationships to liability for illegal behavior committed by virtually any entity with which they do business (including contractors and suppliers);
- Significantly narrowing the circumstances under which an individual can work as an independent contractor;
- Eliminating "right-to-work" protections nationwide, including in the twenty-seven states that have passed right-to-work laws; and
- Disregarding due process rights so that employers are not be able to challenge union misconduct during union elections or retain counsel regarding complex labor laws.

The "card check" process was rightly rejected by Congress and virtually the entire business community during the debate on EFCA more than a decade ago, and PCCA strongly encourages committee members to vote against passage of HR 2474 when considered by the Education and Labor Committee.

Regards,

David Aubrey
PCCA President