

Opening Statement of Ranking Member Mark DeSaulnier (CA-10)

Subcommittee on Health, Employment, Labor, and Pensions

Restoring Balance: Ensuring Fairness and Transparency at the NLRB

Wednesday, June 11, 2025 | 10:15 a.m.

Thank you, Mr. Chairman. I want to thank the witnesses here today for having this open debate of ideas. I want to mention that unions are more popular than they have ever been in American history, 71 percent, according to well-known, nonpartisan, vetted polling. That's because Americans know they need a voice. They need a voice in the most concentrated economy in American history, worse than the Gilded Age, where the money is. That picture from the current president's swearing-in ceremony— those three individuals have more wealth than 40 percent of the American population.

So, we need countervailing institutions. The American people get it, Mr. Chairman. Seventy-one percent of the American people know that labor unions are their voice, and it's about balance. And the idea, at least from my perspective, couldn't be more different than yours, regarding the balance comments I just made.

Today's hearing is an important one in that regard as we will discuss the National Labor Relations Board, the only federal agency that protects the rights of tens of millions of American workers to organize and have a voice.

While I welcome the opportunity to discuss these important issues, Committee Republicans are holding this hearing as if these are normal times and it is simply "business as usual." Let me start by acknowledging the obvious: these are not normal times, and there not normal times for American works as disposable income continues to shrink as a promise by this president to do something about inflation is not happening its getting worse.

In fact, since returning to the White House, the Trump Administration has unfortunately consistently undermined working Americans— particularly those who wish to exercise their right to organize and collectively bargain.

In January, President Trump ordered the unprecedented firing of NLRB Member Gwynne Wilcox, a highly experienced labor lawyer and champion for American workers. By firing Member Wilcox, the President stripped the NLRB of its quorum, preventing the NLRB from doing its vital work protecting American workers from harassment and coercion by union-busting companies.

Then, in February, President Trump issued an executive order giving himself unprecedented control over the rulemaking and legal positions of independent agencies, including the NLRB. The repercussions of this executive order could prove to be disastrous for the NLRB, the American workers they defend, and their independence, but also for workers as a whole.

Since the NLRB's inception, workers have relied on the agency's expertise and independence in enforcing the *National Labor Relations Act* (NLRA). Any loss of independence means that the NLRB – and other independent agencies – are vulnerable to direct political interference from President Trump and the Administration.

Even though the NLRB has not issued reductions-in-force as of now, we continue to pay attention to any efforts by the DOGE team to cut the NLRB's already bare bones workforce. The Board's workforce is nearly 30 percent smaller than it was 15 years ago, while its workload has grown. I also remain concerned that the President's budget fails to make the investments necessary to address the NLRB's staffing crisis, particularly at its regional offices.

Today, we have a unique opportunity to learn more about what the Trump Administration's policies mean for the NLRB as well as for the American workforce from a true expert and committed public servant. We are very fortunate to have Ms. Jennifer Abruzzo. Thank you for being here again, you're a great witness from my perspective. As one of our witnesses this morning. She worked for decades at the NLRB, most recently as the General Counsel.

Based on the title of today's hearing, Committee Republicans will have you believe that the scales have been tipped in favor of pro-union workers and labor unions. That is far from the truth. By and large, the system remains rigged against workers in favor of corporations that don't play by the rules. And let me say this isn't about all employers. Many employers who have union contracts play by the rules.

The problem is that we are focusing on the worst employers the employers who want to pay subminimum wages or are okay with violating child labor laws. And reliable employers constantly prove to improve and defend the economy. Labor laws protect the American workforce. It's those employers who, it is my hope, we would join in making sure there is oversight and consequences when they violate not just the spirit of the law, but the letter of the law, and allow for effective regulation.

Simply look at the numbers. From 1979 to 2023, annual wages for the bottom 90 percent of American households increased just 44 percent, while average incomes for the wealthiest one percent increased more than 180 percent. Let me repeat that again: 90 percent of American households saw just a 44 percent raise. That sounds like a lot, but the top one percent of people making over \$10 million a year got a 180 percent raise. It gets worse and worse at the expense of American workers who get up every day, go to work, and perform well.

Seventy percent, as I mentioned in my opening comments, of Americans and millions of workers say they would unionize if given the opportunity. And even for those who don't unionize, we know from research that union activity raises the bar for everyone, union and non-union alike. It makes the country a better place, makes it more productive, and makes it more like the Eisenhower administration when we grew the middle class and had a GDP growth rate of 6 percent over a decade. Meanwhile, workers' organizing has skyrocketed over the last few years, yet union membership has hit a record low.

Why is this the case? It's because, for too long, unscrupulous employers, not all employers, have weaponized captive audience meetings, faced no real penalties for illegal firings, and exploited procedural tricks in NLRB's proceedings to crush workers' union efforts and their ability to have a voice.

I come to this hearing with what I believe is a unique perspective. As many of you know, I owned a small business and have made many payrolls, a very difficult business, the restaurant business, and I take pride in the relationships I formed with my employees during that time. They made me successful. I learned that the success of a business lies in the relationship between the employer and the employees, whether union or non-union. Treating workers with the respect that they deserve is not only right — it is a savvy business practice, and it is

the essence of America. As the Tok field said in the 1800s, the simple genius of America is to expect exceptional things from ordinary people. That works in the employer, employee, and business sector.

I am also a former union member, being a member of the Teamsters and AFL-CIO. I know firsthand the benefits of union membership and the power unions have in bridging the gap between workers and their employers and helping all workers, not just those who are union members, earn higher pay, better benefits, and safer workplaces, and have respect.

Forming a union must be a right, and not a fight. Democrats will not stay quiet while this Administration attacks workers. I hope we can have a productive discussion, Mr. Chairman, that centers around workers' experiences. It also focuses on low-road employers who do a disservice not just to their workers but to the best American employers who respect their workers.

Thank you, and I yield back.