



Brotherhood of Railroad Signalmen

917 Shenandoah Shores Road
Front Royal, VA 22630

Phone: (540) 622-6522
Fax: (540) 622-6532

W. Dan Pickett
President

Jerry C. Boles
Secretary-Treasurer

June 28, 2017

The Honorable Virginia Foxx, Chair
The Honorable Robert C. Scott, Ranking Member
House Committee on Education and the Workforce
2176 Rayburn House Office Building
Washington, DC 20510

Dear Chair Foxx and Ranking Member Scott:

The Brotherhood of Railroad Signalmen, AFL-CIO, urges you to oppose the following anti-union bills that will come before the Committee on Education and the Workforce this week:

- Tribal Labor Sovereignty Act (H.R. 986)
- Employee Privacy Protection Act (H.R. 2775)
- Workforce Democracy and Fairness Act (H.R. 2776)

The Tribal Labor Sovereignty Act would deny a large number of workers employed by tribal-owned and –operated enterprises located on Indian land, vast majority of which are not Native Americans, protection under the National Labor Relations Act (NLRA). In its current form, this bill would strip all workers in these enterprises of their rights and protections under the NLRA. The BRS fully supports the principle of sovereignty for tribal governments, but we believe the NLRA should have an opportunity to balance tribal sovereignty interests with workers’ fundamental right to organize a union in situations where these interests may conflict. This bill, however, would distort this concept and effectively crush workers’ rights to collective bargaining and freedom of association in every single case where tribal employers attempt to cheat their employees of this right—even when the tribal enterprise is a commercial operation competing with non-tribal businesses.

The Workplace Democracy and Fairness Act would make it more difficult for workers to exercise their right to form a union and bargain with their employer by imposing excessive new requirements that will complicate and delay the process. NLRB’s 2015 election reforms brought long-awaited changes that greatly benefitted workers by accelerating the

process and creating a fair chance for Union's to earn the right of representation of an employee group. With the changes in this bill, most notably the delay of the pre-election hearing and election, employers are given a disproportionate opportunity to run a smear campaign against union affiliation for its workers.

The Employee Privacy Protection Act would create obstructions to union supporters talking with workers prior to a representation election by delaying and limiting the contact information employers are required to provide. Currently, the NLRB rules require employers to provide available telephone numbers and e-mail addresses to union supporters within two business days; this bill would require employers to provide only one form of contact information, and not until seven days after the NLRB rules on the appropriate bargaining unit. This gives the employer an additional opportunity to have an even more one-sided election process, undermining union supporters' ability to talk with employees—while doing nothing to rein in employers' anti-union campaigns.

Instead of addressing America's widening income gap by making it easier for workers to negotiate for fair wages, healthcare, and working conditions, these bills would make it significantly more difficult for workers to exercise these fundamental rights. We urge you to oppose the anti-worker bills listed above at Thursday's markup.

Sincerely,



W. Dan Pickett
President

cc: BRS Grand Executive Council
BRS Representatives