



International Union of Operating Engineers

AFFILIATED WITH THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

March 28, 2017

The Honorable Tim Walberg
House Education & Workforce
Subcommittee on Health, Employment,
Labor, and Pensions
2176 Rayburn House Office Building
Washington, DC 20515

The Honorable Gregorio Kilili Camacho Sablan
House Education & Workforce
Subcommittee on Health, Employment,
Labor, and Pensions
2101 Rayburn House Office Building
Washington, DC 20515

JAMES T. CALLAHAN
GENERAL PRESIDENT

BRIAN E. HICKEY
GENERAL SECRETARY-TREASURER

GENERAL VICE PRESIDENTS

JERRY KALMAR

RUSSELL E. BURNS

JAMES M. SWEENEY

ROBERT T. HEENAN

DANIEL J. MCGRAW

DAREN KONOPASKI

MICHAEL GALLAGHER

GREG LALEEVE

TERRANCE E. MCGOWAN

LOUIS G. RASETTA

MARK MAIERLE

RANDY GRIFFIN

DOUGLAS W. STOCKWELL

RONALD J. SIKORSKI

TRUSTEES

KUBA J. BROWN

CHAIRMAN

BRUCE MOFFATT

JAMES T. KUNZ, JR.

JOSEPH SHANAHAN

EDWARD J. CURLY

GENERAL COUNSEL

BRIAN POWERS

Dear Chairman Walberg and Ranking Member Sablan:

The International Union of Operating Engineers opposes the Tribal Labor Sovereignty Act (H.R. 986), a bill that would eliminate the labor protections currently guaranteed to hundreds of thousands of American workers. Its reach extends to thousands of members of the Operating Engineers. The bill, introduced by Representative Rokita, changes current law by exempting the National Labor Relations Act (NLRA) from tribal enterprises on tribal lands.

While much of the case law and legislative testimony around the issue focuses on gaming operations, the scope of the legislation extends further to energy facilities owned and operated by tribes on their lands. These operations, too, would be exempted from the nation's fundamental labor-management framework, eliminating more members of the Operating Engineers' labor rights in the process.

Employees of tribal operations should not have their right to form unions and bargain collectively taken away. Without the National Labor Relations Act, there is no guarantee that employees of tribal enterprises will be able to secure protection of these fundamental rights. It is worth pointing out that the overwhelming majority of the current workforce at tribal gaming operations is not Native American. Consequently, no new rights to self-governance are afforded to them. Instead, their fundamental rights in the workplace will be eliminated.

The International Union of Operating Engineers opposes the selective exemption of labor law from the suite of federal laws with which tribal enterprises must comply. It would immediately eliminate the rights of Operating Engineers in a variety of locations around the country and we simply find that outcome unacceptable.

Thank you for your consideration.

Sincerely,

James T. Callahan
General President

JTC:sm