



DEPARTMENT FOR PROFESSIONAL EMPLOYEES, AFL-CIO

March 8, 2021

Re: H.R. 842, the Protecting the Right to Organize (PRO) Act of 2021

Dear Representative,

On behalf of the 24 national unions in the Department for Professional Employees, AFL-CIO (DPE), I strongly urge you to support H.R. 842, the Protecting the Right to Organize (PRO) Act of 2021, and to oppose any weakening amendments and any Motion to Recommit when the House of Representatives considers this bill. The PRO Act will ensure that professionals can exercise their right to join together in union and negotiate collectively with their employers by restoring the original intent of the National Labor Relations Act (NLRA).

DPE knows from our 2016 national survey of nonunion professionals that a majority of professionals want to join together in union. Unfortunately, in too many instances, employers are able to violate the NLRA and deny professionals their right to form a union with their colleagues.

The PRO Act will help ensure all professionals can achieve their right to join together in union and negotiate collectively with their employers to improve their lives and their workplaces. The legislation modernizes the NLRA so that it has remedies consistent with other workplace laws, ending the perverse incentive that exists currently for employers to break the law. Companies and individual corporate officers will be subject to financial penalties if they violate the NLRA, and professionals will have the ability to bring their cases to federal court. Further, the PRO Act will provide for fair union elections. The bill will also stop employers from hiding behind a subcontractor or other intermediary, or deliberately misclassifying professional employees as supervisors or independent contractors to evade their employer responsibilities.

Recognizing that professionals can only fully realize the value of joining together in union when they have a written contract, the PRO Act will also put a stop to employers using tactics that prevent employees from achieving a union contract. The legislation establishes a process for mediation and arbitration to assist employers and their employees with reaching agreement on a first contract. A written contract – just like CEOs have – is how union professionals can guarantee pay and benefits, ensure a voice in decisions affecting them at work, and secure pathways to sustain their careers.

The PRO Act also recognizes that professionals must be able to picket or withhold their labor in order to have the power necessary to improve their workplaces. The legislation will prevent employers from hiring permanent replacement workers in instances when professionals decide they have no choice but to go on strike. In addition, nonunion professionals will be able to engage in collective action to enforce basic workplace rights, instead of being required to pursue justice on their own through employer-favored arbitration proceedings.

Lastly, the PRO Act would eliminate state right to work laws. Secretive special interest groups and their billionaire funders push these laws in an effort to give corporations more power at the expense of everyday professionals. We must learn from the experience of the past seven decades, which has shown that people in states with right to work have lower wages and reduced access to quality health care and retirement security.

The experience of the more than four million professional, technical, and other highly-skilled workers who make up DPE's 24 national unions demonstrates that working people do better when they can negotiate collectively for better pay and improved working conditions. That is why a majority of nonunion professionals want to join together with colleagues and negotiate with their own employers. And it is why I urge you to support the PRO Act when it comes before you for a vote on the House floor.

If you have any questions, please contact DPE Assistant to the President/Legislative Director, Michael Wasser at (202) 638-0320 or mwasser@dpeaflcio.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "JDorning", with a stylized flourish at the end.

Jennifer Dorning, President