



INTERNATIONAL FEDERATION OF PROFESSIONAL & TECHNICAL ENGINEERS AFL-CIO & CLC

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March 8, 2021

Dear Representative:

On behalf of 90,000 workers represented by the International Federation of Professional and Technical Engineers (IFPTE), we urge you to vote for the Protecting the Right to Organize Act of 2021, H.R.842 (PRO Act). The bipartisan PRO Act, sponsored by House Education and Labor Chair Bobby Scott, restores the original intent of the National Labor Relations Act of 1935 (NLRA) and levels the playing field between workers who want to form unions and employers who exploit weaknesses in the current law to frustrate union organizing drives and interfere with workers' legal rights to organize and bargain collectively.

If enacted, the PRO Act would counter the all-too-common anti-union intimidation tactics that workers who are organizing a union are subjected to. For example, upwards of 50 professionals employed by Animal Legal Defense Fund (ALDF) are currently voting by mail to form a union with the Nonprofit Professional Employees Union-IFPTE Local 70 (NPEU) so that they can have a voice in creating a workplace that is anti-racist, cooperative, equitable, inclusive, just, respectful, and transparent. These are attorneys, legislative affairs professionals, and communications professionals whose personal and professional dedication to their work ties their working conditions to ALDF's mission. Unfortunately, the employer's anti-union campaign has included spending undisclosed resources to hire an anti-union firm to engage in some of the very anti-worker behavior that this bill seeks to correct. This includes activities such as weekly coercive union avoidance meetings and anti-union communication filled with misinformation, intimidation aimed at discouraging union activity, as well as misclassifying employees as management ahead of the unionization vote.

This bill meaningfully restores workers' rights to determine for themselves if they want a union by providing a fair process for union recognition if the National Labor Relations Board (NLRB) determines that the employer illegally interfered with the union representation election. Provisions in the bill also allow the union or the employer to request a mediation-arbitration process for first contract negotiations that take longer than 90 days. Language in this bill that prohibits captive audience meetings and reinstates the requirement that employers disclose the hiring of and compensation for anti-union consultants will help workers make informed choices when they receive information from their employers. By clarifying and updating the NLRA's definitions for employee, supervisor, and employer, the PRO Act clarifies the definition of joint employer and closes loopholes that allow employers to misclassify workers. Furthermore, this bill gives the NLRB the authority to conduct economic analysis as it sets policies and regulations, increases penalties against employers who violate the NLRA, requires employers to reinstate workers while the NLRB investigates the retaliatory firing, and gives unions the ability to collect fair-share fees.

For all the reasons above, IFPTE requests you vote for the PRO Act. We urge you to vote against any amendments that weaken sections of the bill, especially sections that prohibit and prevent the misclassification of workers. Further, IFPTE is hopeful that the Rules Committee makes in order and the House approves Rep. Andy Levin's SAFE Act as a part of the

underlying bill. The inclusion of this provision would remove the longstanding NLRB prohibition against administering union elections electronically.

Thank you for considering our request. Should you have any questions, please feel free to contact either of us or IFPTE legislative representative Faraz Khan at (301) 275-6038.

Sincerely,



Paul Shearon
President



Matthew Biggs
Secretary-Treasurer/Legislative Director

