



LIUNA!

March 8, 2021

TERRY O'SULLIVAN
General President

ARMAND E. SABITONI
General Secretary-Treasurer

Vice Presidents:

TERRENCE M. HEALY

RAYMOND M. POCINO

JOSEPH S. MANCINELLI

ROCCO DAVIS
*Special Assistant to the
General President*

VINCENT R. MASINO

DENNIS L. MARTIRE

ROBERT E. RICHARDSON

RALPH E. COLE

JOHN F. PENN

OSCAR DE LA TORRE

SERGIO RASCON

ROBERT F. ABBOTT

SAMUEL STATEN, JR.

PAUL V. HOGROGIAN

THEODORE T. GREEN
General Counsel

HEADQUARTERS:
905 16th Street, NW
Washington, DC
20006-1765
202-737-8320
Fax: 202-737-2754
www.liuna.org

U.S. House of Representatives
Washington, D.C. 20515

Dear Representative:

On behalf of the 500,000 members of the Laborers' International Union of North America (LIUNA), I write to ask you to support H.R. 842, the Protecting the Right to Organize (PRO) Act, when it comes to the House floor for a vote. The right to join a union is critical to ensure that workers receive fair pay and benefits and safe jobsites. The PRO Act will expand the National Labor Relations Act (NLRA) to ensure that workers and unions have real, enforceable protections under the law.

One of the most significant problems with the NLRA is the absence of effective remedies for workers against employers who break the law. Often, employers fire union supporters to defeat union organizing efforts, knowing that the penalty is low, only lost wages, and even that is reduced by the amount the worker earns on any other work that he or she finds after getting fired. H.R. 842 will address this serious problem by authorizing the National Labor Relations Board (NLRB) to impose penalties of up to \$50,000 for unfair labor practices.

The PRO Act strengthens enforcement of the NLRA in other important ways. For example, the PRO Act allows workers to exercise First Amendment rights to free speech against so-called secondary employers. It strengthens workers' and unions' representational rights and protects immigrants' labor rights. Significantly, it adopts the so-called ABC test for distinguishing employees from independent contractors. Under the Bill, a person is an independent contractor only if the individual is free from the employer's control and direction, the service is outside the normal course of the employer's business, and the individual is customarily engaged in an independently established trade or business. H.R. 842 will also prevent employers from misclassifying workers as supervisors and will establish that employers with control over employees are held responsible for their actions in the workplace, including users of temp agencies. This addresses an important circumstance, since three million people are employed daily by temp agencies. The PRO Act would also ban captive audience meetings, giving workers the power and freedom to decide for themselves if union representation is right for them. Importantly, the PRO Act would push back on the recent so-called right to work laws, which harm unions and our members, by allowing unions to recover fair share fees covering the costs of collective bargaining and representation.

For these reasons, and for the many other improvements to labor law in the Bill, LIUNA supports the PRO Act and asks you to vote yes when it comes to the House floor.

With kind regards, I am

Sincerely yours,

TERRY O'SULLIVAN
General President

rj
opeiu2liuna

Feel the Power