



OPENING STATEMENT

House Committee on Education and Labor

Chairman Robert C. "Bobby" Scott

Opening Statement of Chairman Scott (VA-03)

Full Committee Hearing

In Solidarity: Removing Barriers to Organizing

Wednesday, September 14, 2022 | 10:15 a.m.

One week and a half after the nation celebrated Labor Day, this Committee is meeting to discuss the growing popularity of unions among the American people and the steps Congress must take to ensure every worker has an opportunity to reap the benefits of joining a union.

Some of our nation's greatest advances were made because of the labor movement.

Decades ago, the labor movement created the forty-hour work week; curbed dangerous child labor practices; and ensured workers made a minimum wage.

Today, unions continue to press employers to secure livable wages, better benefits, and safer workplaces for America's workers.

On average, a worker covered by a collective bargaining agreement earns more than 10 percent more in wages than a peer with a similar education, occupation, and experience in a non-union workplace in the same sector. Private sector workers covered by a union contract are 27 percent more likely to be offered health insurance through their employer. Data also shows that unions close both racial and gender wage gaps, creating an engine of economic mobility for millions of workers because, under a union contract, everyone gets equal pay for equal contract.

Ultimately, the labor movement built the middle class by giving workers a voice on the job.

As such, it should be no surprise that unions are popular among the American people.

In fact, according to a recent Gallup poll, more than 70 percent of Americans approve of unions—the highest approval rating since 1965. This is a direct result of Americans rejecting labor practices made worse during the height of the COVID-19 pandemic. As we know, too many workers were forced to endure unsafe working conditions. Now, as we have seen workers do time and time again, workers are turning to unions to help secure safer workplaces, livable wages, and opportunities for promotion.

According to the National Labor Relations Board, or the N-L-R-B, demand for union representation increased by nearly 60 percent in the first three quarters of 2022 compared to the same period last year. Importantly, unions won 641 elections in the first half of 2022—almost double the victories during **all** of 2021.

The spike in labor organizing is, in part, due to several high-profile victories among organizers at Starbucks, Amazon, Apple, and Trader Joe's.

While the organizers in these campaigns were victorious, they and many others have been met with a slew of unfair labor practices and serious obstacles to reaching a first collective bargaining agreement. Just recently, the National Labor Relations Board found over 200 violations of the *National Labor Relations Act*, or the N-L-R-A, at Starbucks locations in Buffalo, New York alone. Violations included firing organizers, closing stores, reducing compensation, and surveilling workers' organizing activities.

The anti-union campaigns conducted by Starbucks represents a growing trend. For example, for decades, unscrupulous employers have eroded unions by taking advantage of weaknesses in the *N-L-R-A*. Just between 2016 and 2021, 87 percent of employers conducted anti-union campaigns during union elections, even though the choice of organizing is up to the employee and the employer is never on the ballot.

While the NLRB facilitates union elections and investigates violations, the agency has been put on its backfoot with low staffing levels and flat funding. Since 2014, the agency's budget has remained consistent, which, accounting for inflation, amounts to a 25 percent decrease in funding since Fiscal Year 2010. This is yet another barrier to supporting workers and holding employers accountable.

In response to anti-union campaigns and weaknesses in the N-L-R-A, House Democrats have twice-passed the *Protecting the Right to Organize Act*, or the *PRO Act*.

The *PRO Act* is the most significant upgrade to U.S. labor law in nearly 80 years. Specifically, this legislation:

- Sets meaningful penalties for employers who violate workers' rights;
- Requires workers whose rights have been violated to be temporarily reinstated while their cases are pending; and,
- Ensures unions can collect "fair share" dues from all workers they are obligated to represent.

I also remain committed to working with my colleagues and the Biden-Harris Administration to provide the N-L-R-B with the funding it needs to protect workers' right to organize. While I am encouraged that the House Labor-H appropriations includes \$319 million for the N-L-R-B, a \$45 million increase over its current budget, it is imperative that this increase is enacted. The surge in organizing requires an urgent response from Congress and the Administration, and that response is to end the funding crisis that has left the agency straining under the weight of new caseloads.

History has shown us that, when we invest in workers, we build the economy from the bottom up and the middle out.

I look forward to delivering on that goal and ensuring that joining a union is a right, not a fight.