

Opening Statement of Ranking Member Mark DeSaulnier (CA-10)

Subcommittee on Health, Employment, Labor, and Pensions Hearing

"Big Labor Lies: Exposing Union Tactics to Undermine Free and Fair Elections"

2175 Rayburn House Office Building

Wednesday, May 22, 2024 | 10:15 a.m.

Thank you, Mr. Chairman, and thank you to the witnesses. I'm tempted to quote Ronald Reagan: "There you go again." Trickle-down will work for everyone; just trust us. I guess I did do that; I apologize.

I wish we could focus on a strong economy where that benefits everybody. It's pretty clear that when workers have a voice, whether they be unionized or not, it's clear to me the union movement helps union members and non-union members to have that voice at the highest level of inequality in this country, where the union workers' hourly wage is about \$23 an hour but the average wage of the S&P 500 corporates is almost \$9,000 an hour.

In 1965, when union membership was at its highest and our economy was the best it's ever been, there was a clear correlation between CEOs' pay and their workforce. It's now 400 times the average worker's pay; in those days, it was 3 times. So, something is amiss.

I am for organizing, legal organizing. And I think the vast majority of people in the union movement do that. If they can talk honestly to their members or their prospective members, then we can have a fair conversation. Then high-road employers realize that. They realize their workforce is the essence of their success. And I knew that when I was a small business owner and I had been a union member before I was a restaurant owner. I understand the importance of the relationship between the workforce and the profitability of a business, whether it be small or S&P 100.

I believe both can prosper. As a matter of fact, both must prosper in the United States of America for it to work for everyone. The folks who make this country work, the folks who are asked to defend this country in its moment of need, if they don't feel part of the overall E Pluribus Unum—out of many, one—then it doesn't work and that's what's happening now. And that President Biden and we are doing now. Given the title of this hearing.

Given the title of this hearing and the Chairman's opening statement, it feels that this is designed to be another in a series of hearings undermining workers' right to organize and collectively bargain. Not making sure the rules are clear to both parties. And that they both adhere to them

Let's make one thing clear—workers are their union. When my colleagues and their large corporate allies attack unions, they are attacking workers who are seeking a better life and want to achieve the American Dream. They are attacking people like Priscilla; a union cook in San Francisco. After joining UNITE HERE Local 2, of which many years ago I was a member. Priscilla and her coworkers' collective action helped them win family health care. She also won job security. Priscilla says, "My union contract gives me a sense of security that I'm always going to be able to provide for my family."

It's not just Priscilla who benefits through her union. Research consistently shows that when workers band together to have a voice and exercise their right to organize, they have higher pay, better benefits, and safer workplaces. And research also shows that no union member workers benefit from it as well. In fact, the average median union worker is paid approximately 20 percent more than the median non-union worker. And, in the private sector, union workers are 26 percent more likely to be offered health insurance through work, 12 to 15 percent more likely to have paid leave, and 53 percent more likely to have defined-benefit pension plans.

Unions also help grow the economy from the bottom up and the middle out and increase economic mobility for historically underserved and overlooked communities. As we fight for equity and justice in the workplace, unions uplift workers' voices and push for better, safer working conditions.

Unfortunately, today, right-wing billionaires just can't get enough. And Republicans are attempting to weaken workers' rights to organize and collectively bargain through anti-worker legislation.

Not only is the Majority fighting to gut workers' rights and ability to win a strong contract, but they also want to tie the hands of employers who voluntarily choose neutrality and respect their workers' choice of union representation.

Companies like Microsoft and Akash Systems recognize that you don't have to fight your workers tooth and nail. The Vice President and Deputy General Counsel of Microsoft said its neutrality agreement with the Communications Workers of America, quote, "reduced friction. It built relationships with our workers" end quote. She even recommended other businesses rethink neutrality agreements and respect workers' choices. For all the Majority's talk of restrictions on employers, they are now meddling with an employer's ability to facilitate a positive relationship with its organizing workers. For employers that want to be high-road employers.

The focus of this hearing also completely ignores the primary obstacle that workers face in exercising their freedom of association—aggressive and pervasive union-busting. The reality is that many employers— not all like Microsoft— are threatening, surveilling, and firing workers for their union activity without any meaningful repercussions because of the lack of civil penalties in the law and a severely underfunded National Labor Relations Board.

The Biden Administration has made significant progress toward cracking down on dishonest employers, supporting workers' right to organize, and respecting high-road employers. However, we still have a long way to go.

That is why we must work together to pass the *Protecting the Right to Organize Act*, or the PRO Act. I was proud to join Ranking Member Scott and Representative Brian Fitzpatrick in reintroducing this landmark proposal from last year. The bipartisan PRO Act would rectify the weaknesses in the NLRA and level the playing field in the workplace by strengthening, not weakening, workers' basic right to join or form a union and holding unscrupulous employers accountable.

Labor unions have always led the fight for many of the critical advances in today's workplace, and we will continue to guide workers to securing higher wages, better benefits, and safer workplaces. Once more, unions create workplace democracies so that workers have a real voice in their conditions. An attack on labor unions is an attack on workers and their families. We should keep that front and center during this morning's hearing.

Thank you for your time, and I yield back.