



September 14, 2011

The United States House of Representatives
Washington, DC 20515

Dear Representative:

On behalf of the 1.5 million members of the American Federation of Teachers (AFT), I am writing in opposition to the Protecting Jobs from Government Interference Act (H.R. 2587). This legislation is designed to satisfy very narrow interests and not only would make it harder to protect workers' rights on the job but also result in jobs being shipped overseas. In fact, it would force many workers to choose between their rights and their job.

It is currently unlawful for an employer to threaten employees with plant closure or relocation in retaliation for organizing a union. H.R. 2587 would change that by allowing an employer to issue a threat without any fear of corrective action. Under current law, a decision to close or relocate a company simply to thwart union organization is deemed "unlawful motivation." National Labor Relations Board regulations provide that if there is clear evidence of such unlawful motivation, a company may be compelled to restore the work. H.R. 2587 would remove that possible remedy and thereby also remove the single most-effective deterrence against such threats and actions.

The repercussions of H.R. 2587 are many. First, at a time when our country is still recovering from a deep recession, the bill would neither protect nor create jobs; in fact it would do the opposite. Workers would be forced to fight over existing jobs by giving up their rights and underbidding each other. The floor for workers would be lowered, not raised.

In addition, H.R. 2587 would make it easier to ship U.S. jobs overseas by legalizing outsourcing under all circumstances. For example, if a company were to close a U.S. plant or part of a plant and move the work to China because the U.S. employees had organized a union, the National Labor Relations Board no longer would have the power to order that the work be kept in or returned to the United States.

Third, H.R. 2587 would give companies carte blanche to retaliate against workers who were exercising their rights. Under the proposed legislation, if a company wanted to fire a worker who was trying to organize a union, it could do so under the guise of eliminating or transferring the work. The company could even come right out and tell workers that their jobs were being eliminated in response to pro-union activity. The work would no longer exist, and there would be no way to restore or reinstate jobs.

Fourth, H.R. 2587 removes a key disincentive for employers who unlawfully threaten employees with job loss during organizing drives. While it is unlawful interference and coercion for an employer to threaten employees with plant closure or relocation in retaliation for organizing a union, under this bill, an employer could issue the threat with impunity.

Finally, H.R. 2587 would lower the rights, wages, benefits and working conditions of the American workforce by insidiously pitting U.S. workers against each other. Under the

American Federation
of Teachers, AFL-CIO

AFT Teachers
AFT PSRP
AFT Higher Education
AFT Public Employees
AFT Healthcare

555 New Jersey Ave. N.W.
Washington, DC 20001
202/879-4400
www.aft.org

Randi Weingarten
PRESIDENT

Antonia Cortese
SECRETARY-TREASURER

Lorretta Johnson
EXECUTIVE VICE PRESIDENT

VICE PRESIDENTS

Shelvy Y. Abrams
Mary J. Armstrong
Barbara Bowen
Linda Bridges
Kenneth Brynien
Elsie P. Burkhalter
Stacey Caruso-Sharpe
Kathy Chavez
Lee Cutler
Edward Doherty
Kathleen M. Donahue
Thomas A. Dooher
Eric Feaver
Andy Ford
Ed Geppert, Jr.
David Gray
Judy Hale
David Hecker
Richard Iannuzzi
Jerry T. Jordan
Dennis Kelly
Ted Kirsch
Francine Lawrence
Alan Lubin
Louis Malfaro
Merlene Martin
Michael Mulgrew
Maria Neira
Ruby Newbold
Candice Owley
Sharon M. Palmer
Marcia B. Reback
Laura K. Rico
Pat Santeramo
Sandra Schroeder
Phillip H. Smith
Marilyn Stewart
Ann Twomey
Adam Urbanski



U. S. House of Representatives/page 2

proposed legislation, workers would exercise their right to push for better wages, benefits and working conditions less frequently and only at great peril. In turn, wages, benefits and working conditions would deteriorate.

With millions of Americans out of work, and no significant jobs legislation on the horizon, U.S. workers don't need their elected representatives enacting legislation that would allow companies to punish workers for exercising their right to choose to join a union.

Again, I urge you to oppose H.R. 2587.

Thank you for considering the AFT's views on this very important matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'KWC', with a long horizontal flourish extending to the right.

Kristor W. Cowan
Director, Legislation Department

KWC: gd opeiu#2 afl-cio