

3-9-2021

Pro Act Statement

Dear Members of the House Committee on Education and Labor:

My name is Rusty Brown and I am writing on behalf of the Freedom Foundation in opposition to the Protecting Right to Organize Act (“PRO Act”), U.S. House Resolution 842, formerly proposed by Rep. Virginia Foxx to be renamed the “Socialist Solutions for Unions Act”, which is a much more appropriate name.

The dirty secret that unions don’t want you to know is that they are a business just like any other and what they sell are memberships. The problem is that, too often, unions can’t attract members by actually providing a return on investment in the form of better wages and benefits on a consistent basis, so they to turn to politics to sustain their viability.

Union bosses have lobbied for and rely on legislation to force non-member employees to pay dues. They leaned on their political allies to force government employees into unionization. They even found a way to skim hundreds of millions of dollars in union dues from payments to Medicaid recipients, and still their membership is in decline. So, they have once again turned to their political allies with a scheme that is nothing more than a Big Labor power grab, written in hopes that it will bail them out.

Union bosses are demanding that employers be prohibited from educating their employees of their rights, and from explaining to them what a union can and can’t do for them. Union leaders do not want employers to show employees how their dues money will fund wide-ranging political agendas, as well as union officers’ exorbitant salaries and outlandish benefits that often include private jet travel, company vehicles and lavish cooperate retreats. The unions don’t want prospective members to hear that the only thing they are guaranteed by voting in a union is a decrease in take home pay when they start paying union dues. They certainly don’t want employees to hear that the union could bargain for lower pay, worse benefits or less time off if the employer were to agree to some contentious provision like allowing for dues to be deducted directly from members’ paychecks. This happens often and is a major reason that a first contract can take a long time to negotiate. The “PRO Act” will absolutely result in many scenarios where an employer refuses to agree to a contract that would harm its employees, only to have a third party with no understanding of the business come in and force the contract through.

A key point that “Pro Act” supporters won’t mention is that employers are already held to a strict standard regarding what can and cannot be said to an employee once a union has filed a petition for an election. Employers face serious legal repercussions if they attempt to influence employees’ votes by threatening negative consequences or promising anything of value. Employers cannot so much as ask an employee about how they intend to vote. On the surface this seems like common sense but in practice this greatly restricts an employer’s freedom of speech. While employers have one hand tied behind their back, unions are held to no such standard and can tell prospective members anything they want with no legal consequences. For an independent employee, deciding whether to allow a third party to have near total control over their livelihood is a big decision and should not be made lightly, especially not without

detailed information on who will have this control. Plain and simple, unions want to deny their prospective members access to this vital information.

Take, for example, the AFL-CIO, one of the largest unions in existence, representing both public and private-sector employees. In 2020, AFL-CIO reported to have spent almost twice as much on political activities as they did on representing current members or recruiting new members. Their report shows total disbursements of nearly \$140 million. Of that \$140 million, they spent \$15 million on representational activities, which includes all the money they spent bargaining contracts and organizing efforts for new members. The same report shows AFL-CIO spent \$23 million on political activities and lobbying and another \$2 million on gifts, grants and contributions, generally to ideological activist groups.

This is the type of information that unions are attempting to conceal by not allowing employees the opportunity to even hear that these financial reports exist. The reports reveal what is most important to a union and would play a crucial role in an employee's decision regarding union representation. The "PRO Act" is nothing more than a union power grab and is not in the best interest of American workers.