



International Association of Machinists & Aerospace Workers

CONGRESS MUST PROTECT THE RIGHT TO ORGANIZE

Position: **Workers were given the right to organize and collectively bargain in 1935 under the National Labor Relations Act, but workers have had to fight for what has been rightfully theirs under the law. The Richard L. Trumka Protecting the Right to Organize (PRO) Act (H.R. 20/ S. 567) strengthens protections for employees that engage in collective action and facilitates a process where workers and management can reach a first agreement in a reasonable amount of time, plus provides for penalties for employers who break the law.**

The PRO Act is a significant piece of bi-partisan legislation that strengthens federal laws that protect workers' right to organize a union and bargain for higher wages and better benefits. It was introduced this 118th Congress by House Education and the Workforce Committee Ranking Member Bobby Scott (D-VA) and Senate HELP Committee Chairman Bernie Sanders (I-VT).

This bill would prohibit employers from permanently replacing employees who strike and removes limitations on secondary strikes. Strikes are always the last resort for workers who want to improve wages and working conditions, and allowing employees to participate in secondary strikes returns their First Amendment rights back to workers.

To ensure fairness in union elections, the bill would remedy election interference. Once the union files a petition for an election, the National Labor Relations Board (NLRB) would streamline the election process by setting time limits. After an election is held and employees vote in a new union, the NLRB would issue an order **requiring** the company to bargain with the union.

The PRO Act also strengthens remedies and enforcements for employees seeking to exercise their rights at work. There are civil penalties of up to \$500 per violation against an employer who violates the posting requirements or fails to produce a voter eligibility list on time. If an employer commits a violation that results in serious economic harm to an employee, the employer may be penalized up to \$50,000.

When it comes to representation and collective bargaining, right to work laws have hindered unions in an attempt to have all employees pay their fair share. The NLRA allows that under a collective bargaining agreement, a fair-share fee may be assessed to cover the costs of bargaining and representation. The PRO Act **requires** the employee to pay their fair share, regardless of state laws.

The PRO Act is a bill that is long overdue and grants unions their rights under the law as intended by the original NLRA. The Machinists Union fully supports the PRO Act and urges all members of the House and Senate to vote "YES" for this bill.