

FACTSHEET

PROTECTING THE RIGHT TO ORGANIZE ACT (H.R. 842 Rep. Scott / S.420 Sen. Murray)



THE PROBLEM

- Unions are dying. Not because workers don't want to join a union, but because it's nearly impossible to win organizing campaigns, bargain a first contract, and win labor disputes. Why? **American labor law does not adequately protect and support workers.**
- The decline of unionization not only impacts labor unions, it affects all workers, all wages, and has large implications for many aspects in and outside of the workplace.
- Unions not only guarantee higher wage levels for all workers and therefore combat income inequality, they also fight for workplace protections, better health and safety standards, and pro-worker policies like paid family leave and paid sick days - for all workers.
- Weak laws protecting workers' rights to organize and negotiate for better wages and standards have played a major role in increasing inequality and decreasing wages for average workers.

THE SOLUTION

- The Protecting the Right to Organize (PRO) Act:
- **Enacts meaningful penalties for violations of workers' rights:** The current penalty under the National Labor Relations Act (NLRA) for wrongfully firing a worker is back wages minus any wages earned in the interim. The PRO Act would authorize monetary penalties and would create a private right of action for workers whose rights were violated to seek justice.
- **Ends undemocratic "captive audience" meetings:** Companies routinely hold mandatory meetings on work time in which executives and anti-union consultants threaten and intimidate workers seeking to organize into opposing a union—a practice that is generally completely legal. The PRO Act would ban these undemocratic meetings and would ensure that union representational elections are held in a timely and fair way.
- **Strengthens workers' ability to stand in solidarity:** The PRO Act would remove prohibitions on workers standing together to protect all workers' rights. Specifically, it would allow workers to engage in peaceful protests with workers at other companies. It would also prevent companies from permanently replacing workers who have gone on strike, a practice that makes it extremely difficult for workers to strike.

- **Helps workers who have organized get a fair first contract:** Nearly half of newly formed unions fail to ever reach a first contract with an employer because companies will simply refuse to negotiate in good faith. The PRO Act would remedy this issue and facilitate first contracts by creating a process of mediation and arbitration to resolve disputes.
- **Deals a serious blow to freeloader “Right to Work” (RTW) laws:** Many states have passed freeloader RTW laws that prohibit unions and employers from requiring fair-share fees and allow people to enjoy the benefits of union representation without paying any of the costs. These freeloader RTW laws are designed to weaken unions’ power and shift the costs of free riders onto the shoulders of coworkers who elect to join the union and pay dues. The PRO Act would allow unions and employers to agree to require fair-share fees, regardless of state laws, to cover the costs of collective bargaining and representation.

STATUS OF BILL

3/26/2021 The bill passed the House of Representatives for a second time on March 9, 2021 with 225 to 206 votes. The bill is now with the Senate where passage is a lot harder due to the filibuster, which requires a 60 vote majority instead of a simple majority.

COSPONSORS

House of Representatives	SENATE
Prime Sponsor: Rep. Bobby Scott (D-VA)	Prime Sponsor: Sen. Murray (D-WA)
213 Cosponsors: LINK	<p>The bill’s 47 Senate co-sponsors include 45 Democrats and two Independents.</p> <p>The 3 Democratic/Independent Senators missing are:</p> <ol style="list-style-type: none"> 1. Sen. Kyrsten Sinema (AZ) 2. Sen. Mark Kelly (AZ) 3. Sen. Mark Warner (VA)

We need to Protect The Right To Organize!