



District 7

Michael R. Millsap
District Director

January 27, 2020

Dear Honorable Congressman Mike Bost:

On behalf of the retired and active members of the United Steelworkers (USW) District 7, which represents the states of Illinois and Indiana, I urge you to support H.R. 2474, the Protecting the Right to Organize Act, introduced by Representative Scott (VA-03). Also known as the PRO Act, this bipartisan piece of legislation remedies the inequality and exploitation of workers and helps to secure their rightful voices in the workplace.

Under current law, no meaningful penalties exist for employers who illegally fire or retaliate against workers exercising their rights to form a union. The lack of effective enforcement results in routine firings of workers who are pro-union in order to undermine and demoralize organizing campaigns. These illegal tactics were highlighted in a recent Economic Policy Institute report showing that U.S. employers are charged with violating federal law in 41.5% of all union election campaigns.¹ The PRO Act addresses egregious employer behavior by authorizing the National Labor Relations Board (NLRB) to assess compensatory damages for workers and meaningful penalties to firms, their officers, and their directors who violate workers' rights. Further, the PRO Act requires the NLRB to immediately seek injunctive relief to reinstate workers while their case is pending, releasing workers of the undue economic burden caused by employer violations. Workers should have a right to their job while their employer justifies the cause of termination as opposed to today where, too often, a worker's only recourse is to hope for an NLRB process that can take years.

The PRO Act ensures worker access to justice. The legislation expressly prohibits employers from forcing workers to waive their rights to engage in collective or class action litigation as a condition of their employment. The legislation empowers workers with the ability to seek justice in court when employers engage in unlawful activity by interfering or retaliating against workers exercising their rights under the National Labor Relations Act (NLRA). The PRO Act also gives the NLRB the power to enforce its own rulings, in line with the powers of other federal agencies, instead of waiting on the Court of Appeals to issue such decisions. These sorts of adjustments recognize the inadequacies of our court system for everyday people trying to improve their wages, hours, and working conditions. When nearly 40 percent of Americans

¹ <https://www.epi.org/publication/unlawful-employer-opposition-to-union-election-campaigns/>



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cannot cover a \$400 surprise expense, any delay in economic justice is too long.² If a worker's rights have been unlawfully violated they deserve swift justice, which the PRO Act provides.

The correlation between inequality and federal policy decisions which have stripped workers of their collective power cannot be emphasized enough. According to a September 2019 report by the US Census Bureau, income inequality is at its highest rate since the Bureau started tracking this data over 50 years ago.³ By addressing inequality between workers and their employers, the PRO Act pulls away from decades of exploitation, unsafe working conditions, stagnant wages, and benefits. The legislation addresses these fundamental inequities by closing federal loopholes that allow employers to misclassify workers as independent contractors and by allowing workers to express solidarity with their fellow workers. It safeguards workers' reluctant choice to strike by prohibiting the hiring of permanent replacement workers and requires employers to post notices to inform workers of their NLRA rights.

It is for these reasons above that I urge you to have the backs of workers in Indiana and across this nation, and vote in favor of H.R.2474, the Protecting the Right to Organize Act, when it comes to the floor for consideration. For more information, please contact USW Legislative Director, Roy Houseman, at rhouseman@usw.org or District 7 Rapid Response Coordinator, Jerome Davison, at jdavison@usw.org.

Sincerely,

Michael R. Millsap, Director

² <https://www.cbsnews.com/news/nearly-40-of-americans-cant-cover-a-surprise-400-expense/>

³ <https://www.washingtonpost.com/business/2019/09/26/income-inequality-america-highest-its-been-since-census-started-tracking-it-data-show/>

