



**Independent Electrical
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April 1, 2014

The Honorable John Kline
Chairman
Committee on Education and the
Workforce
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Phil Roe
Chairman
Subcommittee on Health, Employment,
Labor, and Pensions
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Kline and Chairman Roe:

On behalf of the Independent Electrical Contractors (IEC), a national trade association composed of 55 chapters with more than 3,000 members, I am writing to express our sincere gratitude for your introduction of H.R. 4320, the “Workforce Democracy and Fairness Act,” and H.R. 4321, the “Employee Privacy Protection Act.” This important legislation would address the sweeping, unnecessary changes to longstanding procedures for union elections recently proposed by the National Labor Relations Board (NLRB).

By shortening the time period for union elections after a petition is filed with the NLRB from a median of 38 days to as few as 10, the Board threatens to shackle employers’ ability to the Board threatens to shackle employers’ ability to communicate with their workforce and compromise the privacy and free choice of employees. Employers would be required to lay out their entire case regarding unionization no later than the pre-election hearing date and would be barred from raising any issues not already identified at a later time. This leaves IEC contractor members with almost no time to speak with their workers about unionization and no chance to respond to a union’s assertions. At the same time, the NLRB’s proposal diminishes the opportunity employees have to review all of the facts and make an informed decision about their representation.

The Board’s proposal would also force employers to turn over confidential information about their workers to union organizers, including e-mail addresses and telephone numbers. Compelling employers to disclose such personal information is irresponsible, dangerous, and unfair to employees and infringes on their privacy.

The “Workforce Democracy and Fairness Act” and the “Employee Privacy Protection Act” appropriately roll back the NLRB’s proposed changes by ensuring employers retain the ability to effectively communicate with their workers on unionization and protecting sensitive employee information from unwarranted disclosure.

The “Workforce Democracy and Fairness Act” would prohibit elections from being held in fewer than 35 days, which will allow employees the time to make a fully informed decision about their representation. Employers would have at least 14 days to prepare their case to present before a NLRB election officer and their right to raise additional concerns throughout the pre-election hearing would be preserved. The bill would also prohibit the Board from certifying any election until all pre- and post-election issues—such as determining bargaining unit size and voter eligibility—are settled between parties.

The “Employee Privacy Protection Act” would empower workers to decide what personal information they will disclose to a union and how they would like to be communicated with during an organizing campaign. The bill would direct employers to provide a list of employee names and one additional piece of contact information chosen by each individual employee to a union within seven days.

Union elections are serious and have a dramatic effect on workplaces—every employee needs and deserves ample time to understand their rights and the many complex issues involved in deciding whether or not to vote for unionization. For this reason, it is imperative that the dialogue that flows between an employer and employees be preserved so that all issues raised during the election process are properly acknowledged and addressed. Together, the “Workforce Democracy and Fairness Act” and the “Employee Privacy Protection Act” will help to mitigate the damaging effects of the NLRB’s proposed changes to representation case procedures by preserving free speech and privacy in union elections.

IEC thanks you for your ongoing leadership on this issue, and encourages swift approval of both H.R. 4320 and H.R. 4321 by the Committee on Education and the Workforce.

Sincerely,

A handwritten signature in black ink that reads "Alexis Moch". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Alexis Moch
Vice President, Government Affairs
Independent Electrical Contractors