

Congress of the United States

Washington, DC 20515

February 25, 2021

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
H-232, U.S. Capitol
Washington, DC 20515

The Honorable Steny Hoyer
Majority Leader
U.S. House of Representatives
H-107, U.S. Capitol
Washington, DC 20515

The Honorable James E. Clyburn
Majority Whip
U.S. House of Representatives
H-329, U.S. Capitol
Washington, DC 20515

Dear Speaker Pelosi, Leader Hoyer, and Whip Clyburn,

We are writing on behalf of America's workers in support of bringing H.R. 842, the *Protecting the Right to Organize (PRO) Act*, directly to the House floor. This legislation to empower our nation's workers passed the House a year ago. Since then, the spread of the COVID-19 pandemic has sadly underscored the urgent need for workers' ability to bargain collectively for safe working conditions, robust health care and paid leave, and pay that reflects their essential role in our society. We believe that now is the time to move this important legislation across the finish line.

During the COVID-19 pandemic, unions have made the difference for many workers between safe and unsafe working conditions. Without unions, many workers have been forced to work without personal protective equipment, access to paid leave, or hazard pay.¹ When nonunion workers have advocated for these health and safety protections or pay increases, they have often been fired.² This lack of basic protection has led to thousands of essential workers becoming infected with COVID-19, and many dying as a result.³ Meanwhile, workers with unions have successfully negotiated health and safety measures, paid sick leave, and pay increases during this pandemic.⁴

We also know that over the long run, income inequality has widened alongside decades of corporate attacks on unions. Between 1979 and 2017, average incomes for the wealthiest 1 percent rose by 160

¹ McNicholas, Celine, Lynn Rhinehart, Margaret Poydock, Heidi Shierholz, and Daniel Perez. [“Why unions are good for workers—especially in a crisis like COVID-19.”](#) *Economic Policy Institute*. August 25, 2020.

² *Ibid.*

³ Dean, Adam, Atheendar Venkataramani, Simeon Kimmel. [“Mortality Rates from COVID-19 Are Lower In Unionized Nursing Homes.”](#) *Health Affairs*. September 10, 2020; Bhattarai, Abha. [“‘It feels like a war zone’: As more of them die, grocery workers increasingly fear showing up at work.”](#) *The Washington Post*. April 12, 2020.

⁴ Hertel-Fernandez, Alexander, Suresh Naidu, Adam Reich, Patrick Youngblood. [“Understanding The COVID-19 Workplace: Evidence From A Survey Of Essential Workers.”](#) *The Roosevelt Institute*. June 2020; Parrone, Marc. [“UFCW Announces Increased Pay, Benefits for Meatpacking and Food Processing Workers on Front Lines of Outbreak.”](#) *United Food and Commercial Workers International Union*. Updated August 24, 2020.

percent, while average incomes for the bottom 90 percent of households increased only 26 percent.⁵ Meanwhile, between 1979 and 2020, the percentage of private sector U.S. workers represented by unions fell from 23.2 percent in 1979⁶ to just 7.2 percent in 2020.⁷ On average, union workers' wages are 19 percent higher than those of nonunion workers,⁸ and higher union density also increases wages for nonunion workers.⁹

In just the last few weeks, we have seen aggressive union-busting tactics by one of our nation's largest employers. As workers in Alabama prepared for an election to potentially establish the first-ever union in an Amazon warehouse in the U.S., Amazon barraged them with anti-union text messages and forced them to sit through several anti-union captive audience meetings.¹⁰ And in the midst of this pandemic, Amazon even appealed the National Labor Relations Board's ruling that the workers must be allowed to cast ballots by mail.¹¹ These hardball tactics show just how much corporate executives fear their employees deciding whether to form unions, as well as some of the hurdles that workers must overcome to organize under the landscape of our current labor laws.

The *PRO Act* would respond to these needs with bold, comprehensive reforms to strengthen unions and the American workforce. Among other provisions, it would protect union elections from employer interference, require employers to negotiate with newly elected unions, ensure employees can't be misclassified as supervisors or independent contractors, and impose meaningful penalties for violations of workers' rights. The *PRO Act* would also allow unions to collect a fair share fee from all workers covered by a collective bargaining agreement to help cover the cost of bargaining and administering the agreement, even in so-called "right-to-work" states.

We are grateful to Chairman Scott for his leadership and for advancing the *PRO Act* through the Committee on Education and Labor in the 116th Congress. And we are proud that in the 116th Congress, the House then passed the *PRO Act* with a strong bipartisan majority. Since that time, public support for labor unions grew and is now at nearly a 50-year high. Since that time, public support for labor unions has grown to nearly a 50-year high, with almost two thirds of Americans supporting labor unions.¹² Moreover, an increasing share of the non-union workforce report that they would vote to unionize if given the opportunity to do so.¹³

Under section 3(u) of the Rules of the 117th Congress, legislation may be brought directly to the House floor before April 1, 2021. Because the *PRO Act* received a thorough committee hearing and markup before passing the House in the second session of the 116th Congress, we believe that it is ready to go directly to the floor under this expedited procedure. Doing so would give the Senate a timely opportunity

⁵ Mishel, Lawrence and Jori Kandra. ["Wages for the top 1% skyrocketed 160% since 1979 while the share of wages for the bottom 90% shrunk."](#) *Economic Policy Institute*. December 1, 2020.

⁶ Hirsch, Barry T. and David A. Macpherson, ["Union Membership and Coverage Database from the Current Population Survey."](#) Updated February 4, 2019.

⁷ U.S. Bureau of Labor Statistics. ["Union Membership \(Annual\) News Release."](#) January 22, 2021; AFL-CIO. ["Union Facts: The Value of Collective Voice."](#)

⁸ BLS, *supra*.

⁹ McNicholas et al. (2020), *supra*.

¹⁰ Sainato, Michael. ["Amazon intensifies 'severe' effort to discourage first-ever US warehouse union."](#) *The Guardian*. February 3, 2021.

¹¹ Sainato, Michael. ["Amazon seeks to block workers from voting by mail in landmark union drive."](#) *The Guardian*. January 27, 2021.

¹² Brennan, Megan. ["At 65%, Approval of Labor Unions in U.S. Remains High."](#) *Gallup*. September 3, 2020

¹³ Kochan, Thomas, William Kimball, Duanyi Yang, and Erin L. Kelly. ["Worker Voice in America: A Current Assessment and Exploration of Options."](#) *Massachusetts Institute of Technology, Institute for Work and Employment Research*. January 17, 2018.

to begin considering the *PRO Act* as House-passed legislation and ultimately help get it signed into law during this Congress.

The *PRO Act* is an urgently needed priority for America's working people. It's time to get it done.

In solidarity,



JARED GOLDEN
Member of Congress



ANDY LEVIN
Member of Congress

SUSAN WILD
Member of Congress

MARIE NEWMAN
Member of Congress

CONOR LAMB
Member of Congress

MIKIE SHERRILL
Member of Congress

PETER A. DEFAZIO
Member of Congress

ELAINE G. LURIA
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ALAN LOWENTHAL
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TIM RYAN
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