

Protecting the Right to Organize (PRO) Act

The huge surge in economic inequality over the past quarter-century is related directly to many workers' lack of a strong voice on the job. Over that time, wages have stagnated for workers across the economy, while income has skyrocketed for CEOs and the wealthiest 1%. By 2012, the wealthiest 1% made 22.5% of national income, while the bottom 90% of families made less than half of national income—just 49.6%.

Over that same time period, union density has declined substantially. Since the early 1980s, the overall unionization rate has been cut in half. This harms workers who are unable to form unions directly, but it also hurts other workers, as research by the Economic Policy Institute shows that higher union density increases wages for all workers.

Moreover, the harm to workers caused by the lack of an organized voice on the job is not limited simply to compensation. Workers who form unions have stronger protections against discrimination and retaliation, enhanced job security, better retirement benefits, and more effective ways of combating practices that jeopardize their health and safety on the job.

Unfortunately, the *National Labor Relations Act* (NLRA) does not currently include protections strong enough to ensure that workers are able to effectively exercise their right to organize, bargain collectively, and have a strong voice on the job. The NLRA's penalties are ineffective and insufficient, amounting to little more than a vague threat of a slap on the wrist to employers who violate the NLRA. As a result, workers are routinely illegally disciplined or even fired for exercising their NLRA rights, with little to no consequence for the bad actors. As a result, many workers are deterred from fighting to exercise their rights in the first place.

Earlier this year, the House Democrats led the charge to strengthen the NLRA and empower workers across the country by passing H.R. 2474/S. 1306, the *Protecting the Right to Organize* (PRO) Act. The PRO Act would:

- Strengthen remedies for workers who face illegal retaliation, including swift temporary reinstatement for workers who are illegally suspended or fired, real financial penalties, and the clarification of their ability to have their day in court;

- Clarify coverage of the NLRA to prevent the misclassification of workers as independent contractors;
- Protect the integrity of union elections against coercive captive audience meetings; Ensure that the National Labor Relations Board's orders are enforced in a timely manner;
- Ensure that workers and employers are able to reach fair deals for a first contract by establishing mediation and arbitration procedures;
- Protect workers' right to strike for basic workplace improvements;
- Safeguard the rights of all workers to engage in employment-related class action litigation.

While this monumental piece of legislation passed the house, its progress is being delayed by Senate Republicans who refuse to bring it before the Senate for a vote. The *PRO Act* is important legislation that would ensure that workers' right to a voice on the job would be protected. In doing so, it would help combat skyrocketing economic inequality and strengthen the middle class. We must continue to push the Senate to choose to protect workers.