



INTERNATIONAL FEDERATION OF PROFESSIONAL & TECHNICAL ENGINEERS AFL-CIO & CLC

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June 20, 2023

Hon. Bernard Sanders
Chairman,
Senate Health, Education, Labor,
and Pensions Committee
428 Dirksen Senate Office Building
Washington, D.C. 20510

Hon. William Cassidy, M.D.
Ranking Member,
Senate Health, Education, Labor,
and Pensions Committee
428 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Sanders and Ranking Member Cassidy:

On behalf of 90,000 workers represented by the International Federation of Professional and Technical Engineers (IFPTE), we thank the Health, Education, Labor, and Pensions Committee for considering the Richard L. Trumka Protecting the Right to Organize Act of 2023 (PRO Act) and we urge you to advance this legislation without any weakening amendments.

The PRO Act levels the playing field between workers who want to form unions and employers who exploit weaknesses in the current law to frustrate union organizing drives and interfere with workers' legal rights to organize and bargain collectively. If enacted, the PRO Act would counter the all-too-common anti-union tactics that interfere with and impede working Americans' right to organize unions and collectively bargain with their employers over wages, benefits, and working conditions. A 2022 Gallup survey showed that 71% of Americans approve of labor unions, the highest union approval rating since 1965. Yet, even as the National Labor Relations Board (NLRB) shows a 53% increase in union organizing between October 2021 and September 2022, the unionization rate in the private sector fell to 6% in 2022 and the overall unionization rate fell to 10.3%. A [2023 Economic Policy Institute](#) report noted that "private-sector employers spend nearly \$340 million per year hiring union avoidance advisers to help them prevent employees from organizing," and that "Employers are charged with violating federal law in 41.5% of all union election campaigns and one out of five union election campaigns involve a charge that a worker was illegally fired for union activity."

These anti-union tactics not only deny workers their union rights, but they also impact local economies that would benefit from higher unionization rates that result in "higher state and local minimum wages, better health benefits, easier access to unemployment insurance, access to paid sick leave, access to paid family and medical leave, and unrestricted voting opportunities." Modernizing our private sector labor laws through the PRO Act is a necessary part of U.S. economic prosperity and maintaining the middle class because of the relationship between unions and the "union wage premium" and the spillover effect that higher union wages have for nonunion workers' wages. From 1979 to 2021, U.S. economic productivity increased by 64.6% while hourly compensation increased by 17.3% after adjusting for inflation. This sharp divergence between productivity increases and wage increases comes after over 30 years, from 1948 to 1979, of wages increasing in

lockstep with productivity and during a time when between 22% to 35% of Americans were unionized in the private sector.

The PRO Act meaningfully restores workers' ability to determine for themselves if they want a union by providing a fair process for union recognition if the NLRB determines that the employer illegally interfered with the union representation election. Provisions in the bill also allow the union or the employer to request a mediation-arbitration process for first contract negotiations that take longer than 90 days. Language in this bill that prohibits employers from requiring their employees to attend "captive audience meetings" and restores the requirement for employers to disclose the hiring of anti-union consultants will help workers make informed choices when they receive information from their employers. Furthermore, this bill gives the NLRB the authority to conduct economic analysis as it sets policies and regulations, increases penalties against employers who violate the NLRA, requires employers to reinstate workers while the NLRB investigates a retaliatory firing, and gives unions the ability to collect fair-share fees.

For all the reasons above, we urge you to support the Richard L. Trumka PRO Act and advance the legislation out of the Senate Health, Education, Labor, and Pensions Committee as introduced, without any weakening amendments. Should you have any questions, please contact us or IFPTE Legislative Director Faraz Khan at 202-239-4892. Thank you for considering our request.

Sincerely,



Matthew S. Biggs
IFPTE President



Gay Henson
IFPTE Secretary-Treasurer