

Workplace Democracy Act

In order to strengthen America's middle class, we must make it a priority to restore workers' rights to bargain for better wages, benefits, and working conditions. That is the goal of the Workplace Democracy Act.

There is no doubt that union membership is good for workers: union workers earn 26% more, on average, than non-union workers. Union workers are also half as likely to be victims of health and safety violations or of wage theft, 18% more likely to have health coverage, and 23% more likely to have either an employer sponsored pension or 401(k).

Declining unionization has fueled rising inequality. Today, corporate profits are at an all-time high, while wages as a percentage of the economy are near an all-time low. The middle class is disappearing, and the gap between the very rich and everyone else is growing wider and wider.

There are many reasons for the growing inequality in our economy, but perhaps the most significant reason for the disappearing middle class is that the rights of workers to join together and bargain for better wages, benefits, and working conditions have been severely undermined. According to the most recent statistics:

- **When workers become interested in forming unions, 75% of private-sector employers hire outside consultants to run anti-union campaigns, 63% force employees to attend closed-door meetings to hear anti-union propaganda; and 54% of employers threaten workers in such meetings.**
- **An employee who engages in union organizing campaigns has a one in five chance of getting fired.**
- **Nearly 60% of employers threaten to close or relocate their businesses if workers elect to form a union.**

Even when workers overcome these enormous obstacles and win union elections, 37% of these new unions still do not have a first contract for workers two years after the election due to loopholes in labor laws.

The Workplace Democracy Act would:

Allow for unions to organize through a majority sign up process, allowing the National Labor Relations Board (NLRB) to certify a union if it receives the consent of the majority of eligible workers.

Enact “first contract” provisions to ensure companies cannot prevent a union from forming by denying a first contract. Employers would be required to begin negotiating within 10 days of receiving a request from a new union. If no agreement is reached after 90 days of negotiation, the parties can request to enter a compulsory mediation process. If no first contract is reached after 30 more days of mediation, the parties would have a contract settlement through binding arbitration.

Eliminate the “Right to Work for Less” laws by repealing Section 14(b) of the Taft Hartley Act, which has allowed 28 states to pass legislation eliminating the ability of unions to collect fair share fees from those who benefit from union contracts and activities, undermining the union’s representation of workers.

Expand the definition of employer to ensure employers can no longer avoid responsibility and prevent workers from organizing by designating certain workers independent contractors, supervisors, or through franchisee arrangements.

Allow for secondary boycotts and picketing. Reinstates union’s freedom of speech to take action to pressure clients and suppliers of companies opposing unions.

Expand and update the persuader rule. Companies would be required to disclose anti-union information they disseminate to workers, including funding third party anti-union consultants, who would have to register and be law abiding. Whatever contact information (email, phone, mailing addresses) the employer uses will need to be shared with union organizers and employers will be prohibited from forcing workers to attend campaign activities that are unrelated to the employee’s job duties.