



COALITION FOR A
DEMOCRATIC WORKPLACE

February 6, 2025

Members of the U.S. Senate

Dear Senator:

The Coalition for a Democratic Workplace (CDW) and the 42 undersigned organizations write to raise significant concerns with the labor policy legislative framework released by Senator Josh Hawley (R-MO) on January 10. While Senator Hawley has not released any specific legislative language, the provisions described in the framework mirror provisions contained in two flawed bills – the Protecting the Right to Organize (PRO) Act (S. 567, 118th Congress), introduced by Senator Bernie Sanders (D-VT), and the Warehouse Worker Protection Act (S. 5208, 118th Congress), introduced by Senators Edward Markey (D-MA), Elizabeth Warren (D-MA), and Sanders. Congress has repeatedly rejected the PRO Act on a bipartisan basis because of the threats it poses to workers and our economy. If Senator Hawley decides to introduce legislation based on his framework, we urge you not to support it and reject the policies contained therein.

CDW is a broad-based coalition of hundreds of organizations representing hundreds of thousands of employers and millions of employees in various industries across the country concerned with a longstanding effort by some in the labor movement to make radical changes to the National Labor Relations Act without regard to the severely negative impact they would have on employees, employers, and the economy. CDW was formed in 2005.

The legislative framework promoted by Sen. Hawley includes provisions that have been rejected by Congress, the National Labor Relations Board (NLRB or Board), and the courts and face strong opposition from the regulated community for their potential devastating consequences.

Two provisions within the framework guarantee workers will not be fully informed before they choose whether or not they want union representation in the workplace. The first mandates representation elections be held within 20 business days after a union files a petition for an election. These “ambush elections” will result in “backdoor organizing,” leaving employers – especially small businesses – without an opportunity to discuss potential unionization with their employees. In essence, ambush elections silence debate on unionization and only result in workers being less informed about the pros and cons of union representation before voting. As current Board Chair Marvin Kaplan explained, such policies value “quick elections over fully informed voters.”¹

Additionally, the framework bans so-called “captive audience meetings.” These meetings are held by employers during work hours and can cover a variety of topics, not just unionization. Moreover, these meetings often serve as the only opportunity for workers to hear from employers about the accuracy of union claims and promises and about the potential negative consequences of union

¹ NLRB Representation Case Procedures Final Rule, 29 CFR Part 102, August 25, 2023.



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organizing on the workers and/or the business. By banning such meetings, the framework would leave employees without a full understanding of the consequences of union representation before placing their vote. Importantly, these meetings and employer speech rights during union organizing drives have been protected by Congress, the Supreme Court, and the Board itself for decades. They should continue to be protected to ensure workers are fully informed before voting on union representation.

The framework also imposes a 10-day time period for an employer and union to begin negotiating following a representation election as well as a requirement that a bargaining agreement be finalized “within months.” The consequences for not obtaining such an agreement will likely be mandatory, binding arbitration, which will allow the federal government to set the terms of private contracts without the input or consent from the employees, employers, or unions involved. The 10-day period is simply too short a window to allow the collective bargaining process to take shape. Complex negotiations must take place on any and all terms and conditions of employment. These discussions by nature take time. Moreover, many issues can arise during the election process that must be settled before meaningful negotiations can occur. The arbitrary timeline proposed will not make this process more efficient but will result in worse outcomes for workers and businesses nationwide.

Sen. Hawley’s framework is misguided at best and dangerous at worst. The policies contained therein will infringe on the rights of workers and employers alike. It will destabilize labor relations and harm the economy. CDW and the undersigned organizations strongly urge you to reject this framework and its imprudent policies.

Sincerely,

Coalition for a Democratic Workplace
Air Conditioning Contractors of America
American Bakers Association
American Pipeline Contractors Association
Associated Builders & Contractors
Associated Equipment Distributors
Associated General Contractors of America
Association of Bi-State Motor Carriers
Ceramic Tile Distributors Association
Coalition of Franchisee Associations
Construction Industry Round Table
Consumer Technology Association
Convenience Distribution Association
Foodservice Equipment Distributors Association
Franchise Business Services
Global Cold Chain Alliance
Heating, Air-conditioning, & Refrigeration Distributors International



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Independent Bakers Association
Independent Electrical Contractors
Independent Lubricant Manufacturers Association
International Foodservice Distributors Association
International Warehouse Logistics Association (IWLA)
Iowa Association of Business and Industry
Metals Service Center Institute
National Association of Electrical Distributors
National Association of Home Builders
National Association of Wholesaler-Distributors (NAW)
National Fastener Distributors Association
National Franchisee Association
National Lumber & Building Material Dealers Association
National Marine Distributors Association
National Ready Mixed Concrete Association
National Retail Federation
National Stone, Sand & Gravel Association
Outdoor Power Equipment and Engine Service Association
Power & Communication Contractors Association
Small Business & Entrepreneurship Council
Textile Care Allied Trades Association
The Fertilizer Institute
Truck Renting and Leasing Association
United States Hispanic Business Council
Western Electrical Contractors Association
World Millwork Alliance (WMA)