



The Honorable Bobby Scott  
Chairman  
House Committee on Education and Labor  
2176 Rayburn House Office Building  
Washington DC 20515

The Honorable Virginia Foxx  
Ranking Member  
House Committee on Education and Labor  
2101 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Scott and Ranking Member Foxx:

On behalf of Americans for Prosperity, I write to share our opposition to H.R. 2474, the “Protecting the Right to Organize Act,” a bill that would make major changes to current labor laws.

AFP fully supports the ability of workers to choose who they associate with and who speaks on their behalf. Unfortunately, H.R. 2474 would drastically undermine the rights and interests of workers, employers, and the public. Among our concerns, H.R. 2474 would:

- 1** Invalidate “Right to Work” laws enacted in 28 states, giving private sector employees the freedom to choose whether they wish to be members of a union and pay fees out of their hard-earned paychecks. This same freedom to choose has been recognized by the U.S. Supreme Court under the 1st Amendment for public sector employees.
- 2** Slant organizing efforts heavily in favor of unions at the expense of employee and employer rights by: limiting legal communication; drastically shortening election timeframes to stifle discussion and education opportunities; limiting the ability of employers to challenge concerning union practices while awarding unions organizing victories without proper elections when they raise concerns against employee practices.
- 3** Infringe on the privacy of workers by requiring employers to provide extensive employee contact information to unions during organizing efforts, including home addresses and personal phone numbers.
- 4** Interfere with freedom of contract by restricting the ability of people to offer their skills as independent contractors, thereby reducing their ability to control their own schedules and provide services to a broader range of businesses and customers as they see fit.
- 5** Enact a damaging joint-employer standard that undermines franchising models, contractor-subcontractor arrangements, and even relationships between businesses and vendors, all of which play major roles in helping entrepreneurs and small businesses thrive.
- 6** Force labor negotiations to be settled through binding arbitration, which can lead to mandatory contracts that businesses lack resources to meet and that can conflict with the interests of individual employees as well. Employees would not even be able to vote on the terms of the very binding agreements that define their employment terms.
- 7** Eliminate attorney-client privilege for a wide array of communication between employers and legal professionals that they rely on to be educated about representative elections. H.R. 2474 would damage not only the ability of employers to be properly informed but also the ability of employers to communicate with and inform their own employees about workplace matters.

Instead of fostering an environment of mutually beneficial relationships between employers, workers, and labor unions, H.R. 2474 would undermine the choice and dignity of individual workers while granting unequal privileges to labor unions. These policies would subvert worker freedom and erect new barriers to economic opportunity. It would be an alarming direction to take private sector labor policy just one year after the Supreme Court clarified the First Amendment rights of government workers to have complete say in whether they choose to be members of and financially support unions.

We ask members of the committee instead focus on policies that expand worker freedom and eliminate barriers to opportunity.

Sincerely,

A handwritten signature in black ink that reads "Brent Gardner".

Brent Gardner  
Chief Government Affairs Officer, Americans for Prosperity