

March 17, 2015

**Re: Opposition to NLRB S.J. Res. 8, H.J. Res 29**

Dear Representative,

On behalf of the National Women's Law Center, an organization dedicated to advancing women's rights in the workplace and promoting economic security for working families, we write to express our opposition to the joint resolution of disapproval of the National Labor Relations Board's new election rules under the Congressional Review Act (S.J. Res. 8, H.J. Res 29). This resolution would undo years of work on modernizing election rules, as well as frustrate the Board's ability to adopt new rules to streamline the union election process.

The NLRB's election rules, issued on December 12, 2014, would modernize the Board's election procedures and reduce unnecessary litigation and delay in the election process. The rules are aimed at making the election process run more smoothly and predictably, to the benefit of employers, workers, and unions. It is vitally important that workers who wish to vote on choosing union representation have a fair and timely ability to do so.

This decision is particularly important for women because the benefits of union membership are especially pronounced for women workers. Women who are union members earn 33 percent more than their non-union counterparts. The gender wage gap for union members is 40 percent smaller than for non-union workers. In the private sector, union workers are far more likely than non-union workers to have access to paid sick days, paid family leave, vacation, retirement, and comprehensive health insurance that covers all of their needs. Union representation is particularly important for low-wage workers who otherwise have very little bargaining power with their employers—and women are two-thirds of low-wage workers.

S.J. Res. 8 would not only wipe out the NLRB's new rules, but also prohibit the agency from adopting another rule in "substantially the same form" unless specifically authorized by Congress. 5 U.S.C. § 801(b)(2). This means that absent a new law authorizing a new rule, the NLRB would be forever barred from adopting similar election rules. Its rules would be frozen in time, and the Board would be prohibited from adopting rules to utilize new technology, modernize its procedures, or standardize best practices across regions in areas covered by the December 2014 rules. For example, the Board could not issue rules requiring electronic filing of election petitions, consistent with practices in all federal courts.

Undermining the NLRB's ability to do its job will not improve conditions for women and working families; promoting economic security for working families instead will require steps such as raising the minimum wage, encouraging employers to adopt fair scheduling practices, and passing equal pay legislation. We urge you to vote no on S. J. Res. 8. Thank you for your consideration.

Sincerely,



Fatima Goss Graves  
Vice President for Education &  
Employment