



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

March 8, 2021
(House Rules)

STATEMENT OF ADMINISTRATION POLICY

H.R. 842 – Protecting the Right to Organize Act of 2021

(Rep. Scott, D-VA, and 212 cosponsors)

The Administration strongly supports House passage of H.R. 842, the Protecting the Right to Organize (PRO) Act of 2021, which would strengthen the Federal laws that protect workers' right to organize a union and collectively bargain for better wages, benefits, and working conditions.

America was not built by Wall Street. It was built by the middle class, and unions built the middle class. Unions put power in the hands of workers. They give workers a stronger voice to increase wages, improve the quality of jobs and protect job security, protect against racial and all other forms of discrimination and sexual harassment, and protect workers' health, safety, and benefits in the workplace. Unions lift up workers, both union and non-union.

The policy of the United States Government, stated clearly in the National Labor Relations Act, is to encourage union organizing and collective bargaining. However, due to anti-union efforts by many employers for decades, lax enforcement of existing labor laws, and the failure to restore and strengthen labor laws to address the real-world of labor-management relations, only 6.3% percent of private-sector U.S. wage and salary workers were union members in 2020.

H.R. 842 would strengthen and protect workers' right to form a union by allowing the National Labor Relations Board (NLRB) to assess penalties on employers who violate workers' right to organize and ensuring that workers who suffer retaliation for exercising these rights receive immediate relief.

The PRO Act also defends workers' right to strike—a fundamental economic right—and to engage in boycotts and other acts of solidarity with workers at other companies without penalty. It clarifies that employers may not force employees to waive their rights to join together in collective or class action litigation. The bill also closes loopholes in Federal labor law by barring employers from misclassifying workers as independent contractors and preventing workers from being denied remedies due to their immigration status. It establishes an expansive joint employer standard, allowing workers to collectively bargain with all the companies that control the terms and conditions of their employment. The bill allows unions to collect fair-share fees to cover the cost of collective bargaining and administering a union contract for all workers who are protected by the contract's terms. H.R. 842 restores workers' access to fair union elections and ensures the results are respected.

The Administration strongly encourages the House to pass H.R. 842, and looks forward to working with the Congress to enact this critical legislation that safeguards workers' rights to organize and bargain collectively. The PRO Act will strengthen our democracy and advance dignity in the workplace.

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