

105TH CONGRESS
1ST SESSION

H. R. 758

To amend the National Labor Relations Act to protect employer rights.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 1997

Mr. FAWELL (for himself, Mr. BALLENGER, Mr. BARRETT of Nebraska, Mr. McKEON, Mr. SAM JOHNSON of Texas, Mr. KNOLLENBERG, Mr. RIGGS, Mr. GRAHAM, Mr. SOUDER, Mr. McINTOSH, Mr. NORWOOD, Mr. DEAL of Georgia, Mr. BOEHNER, Mr. CHRISTENSEN, Mr. DICKEY, Mr. EHR- LICH, Mr. BUNNING, Mr. HAYWORTH, Mr. INGLIS of South Carolina, Mr. WELDON of Florida, Mr. HERGER, Mr. BRYANT, Mr. MILLER of Florida, Mr. WICKER, Mr. CHAMBLISS, Mr. SNOWBARGER, Mr. HEFLEY, Mr. LINDER, Mr. BEREUTER, Mr. SESSIONS, Mr. CUNNINGHAM, Mr. PAXON, Mr. PITTS, Mr. BOB SCHAFFER of Colorado, Mr. CANADY of Florida, Mr. HILL, Mr. HUTCHINSON, and Mr. NETHERCUTT) introduced the follow- ing bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the National Labor Relations Act to protect employer rights.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Truth in Employment
5 Act of 1997”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that:

3 (1) An atmosphere of trust and civility in labor-
4 management relationships is essential to a produc-
5 tive workplace and a healthy economy.

6 (2) The tactic of using professional union orga-
7 nizers and agents to infiltrate a targeted employer's
8 workplace, a practice commonly referred to as "salt-
9 ing" has evolved into an aggressive form of harass-
10 ment not contemplated when the National Labor Re-
11 lations Act was enacted and threatens the balance of
12 rights which is fundamental to our system of collec-
13 tive bargaining.

14 (3) Increasingly, union organizers are seeking
15 employment with nonunion employers not because of
16 a desire to work for such employers but primarily to
17 organize the employees of such employers or to in-
18 flict economic harm specifically designed to put non-
19 union competitors out of business, or to do both.

20 (4) While no employer may discriminate against
21 employees based upon the views of employees con-
22 cerning collective bargaining, an employer should
23 have the right to expect job applicants to be pri-
24 marily interested in utilizing the skills of the appli-
25 cants to further the goals of the business of the em-
26 ployer.

1 **SEC. 3. PURPOSES.**

2 The purposes of this Act are—

3 (1) to preserve the balance of rights between
4 employers, employees, and labor organizations which
5 is fundamental to our system of collective bargain-
6 ing;

7 (2) to preserve the rights of workers to orga-
8 nize, or otherwise engage in concerted activities pro-
9 tected under the National Labor Relations Act; and

10 (3) to alleviate pressure on employers to hire
11 individuals who seek or gain employment in order to
12 disrupt the workplace of the employer or otherwise
13 inflict economic harm designed to put the employer
14 out of business.

15 **SEC. 4. PROTECTION OF EMPLOYER RIGHTS.**

16 Section 8(a) of the National Labor Relations Act (29
17 U.S.C. 158(a)) is amended by adding after and below
18 paragraph (5) the following:

19 “Nothing in this subsection shall be construed as requir-
20 ing an employer to employ any person who seeks or has
21 sought employment with the employer in furtherance of
22 other employment or agency status.”.

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