

104TH CONGRESS
2^D SESSION

H. R. 3211

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 1996

Mr. FAWELL introduced the following bill; which was referred to the
Committee on Economic and Educational Opportunities

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 1996”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that:

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

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

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

15 (4) While no employer may discriminate against
16 employees based upon their views concerning collec-
17 tive bargaining, an employer should have the right
18 to expect job applicants to be primarily interested in
19 utilizing their skills to further the goals of the
20 business.

21 **SEC. 3. PURPOSES.**

22 The purpose of this Act is—

23 (1) to preserve the balance of rights between
24 employers, employees, and labor organizations which

1 is fundamental to our system of collective bargain-
2 ing;

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

6 (3) to alleviate pressure on employers to hire
7 individuals who seek or gain employment in order to
8 disrupt the employer's workplace or otherwise inflict
9 economic harm designed to put the employer out of
10 business.

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

12 Section 8(a) of the National Labor Relations Act (29
13 U.S.C. 158) is amended by adding after and below para-
14 graph (5) the following:

15 "Nothing in this subsection shall be construed as requir-
16 ing an employer to employ any person who seeks or has
17 sought employment with the employer in furtherance of
18 other employment or agency status."

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