

107TH CONGRESS
1ST SESSION

H. R. 2800

To amend section 8(a) of the National Labor Relations Act.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2001

Mr. PAUL introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend section 8(a) of the National Labor Relations Act.

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 2001”.

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.

11 (2) The tactic of using professional union orga-
12 nizers and agents to infiltrate a targeted employer’s

1 workplace, a practice commonly referred to as “salt-
2 ing” has evolved into an aggressive form of harass-
3 ment not contemplated when the National Labor Re-
4 lations Act was enacted and threatens the balance of
5 rights which is fundamental to our system of collec-
6 tive bargaining.

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

13 (4) While no employer may discriminate against
14 employees based upon the views of employees con-
15 cerning collective bargaining, an employer should
16 have the right to expect job applicants to be pri-
17 marily interested in utilizing the skills of the appli-
18 cants to further the goals of the business of the em-
19 ployer.

20 **SEC. 3. PURPOSES.**

21 The purposes of this title are—

22 (1) to preserve the balance of rights between
23 employers, employees, and labor organizations which
24 is fundamental to our system of collective bar-
25 gaining;

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

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

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

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

13 “Nothing in this subsection shall be construed as requir-
14 ing an employer to employ any person who is not a bona
15 fide employee applicant, in that such person seeks or has
16 sought employment with the employer with the primary
17 purpose of furthering another employment or agency sta-
18 tus: *Provided*, That this sentence shall not affect the rights
19 and responsibilities under this Act of any employee who
20 is or was a bona fide employee applicant, including the
21 right to self-organization, to form, join, or assist labor or-
22 ganizations, to bargain collectively through representatives
23 of their own choosing, and to engage in other concerted

- 1 activities for the purpose of collective bargaining or other
- 2 mutual aid or protection.”.

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