To amend the National Labor Relations Act to clarify employer rights with regard to hiring.

IN THE HOUSE OF REPRESENTATIVES
JUNE 23, 2023
Mr. ALLEN introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL
To amend the National Labor Relations Act to clarify employer rights with regard to hiring.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the “Truth in Employment Act of 2023”.

SEC. 2. FINDINGS AND PURPOSE.
(a) FINDINGS.—Congress finds the following:
(1) An atmosphere of trust and civility in labor-management relationships is essential to a productive workplace and a healthy economy.
(2) The tactic of using professional union organizers and agents to infiltrate a targeted employer’s workplace, a practice commonly referred to as “salt­ing”, has evolved into an aggressive form of harass­ment not contemplated when the National Labor Re­lations Act (29 U.S.C. 151 et seq.) was enacted and threatens the balance of rights.

(3) Increasingly, union organizers are seeking employment with nonunion employers not because of a desire to work for such employers but primarily to organize the employees of such employers or to in­flict economic harm specifically designed to put non­union competitors out of business, or to do both.

(4) While no employer may discriminate against employees based upon the views of employees con­cerning collective bargaining, an employer should have the right to expect job applicants to be pri­marily interested in utilizing the skills of the appli­cants to further the goals of the business of the em­ployer.

(b) PURPOSES.—The purposes of this Act are—

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

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

SEC. 3. PROTECTION OF EMPLOYER RIGHTS.

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

“Nothing in this subsection shall be construed to make
it an unfair labor practice for an employer to not employ
any person who is an employee or paid agent of any labor
organization that is not the exclusive representative under
section 9(a) of this Act of the bargaining unit in which
the person is employed or seeks employment.”.