

119TH CONGRESS
1ST SESSION

H. R. 2241

To amend the National Labor Relations Act to ensure the right of employees to a secret ballot election conducted by the National Labor Relations Board.

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2025

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

A BILL

To amend the National Labor Relations Act to ensure the right of employees to a secret ballot election conducted by the National Labor Relations Board.

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 “Secret Ballot Protec-
5 tion Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the importance of a secret ballot election
9 has been recognized by the United States for over
10 100 years;

1 (2) the fundamental democratic right to choose
2 by secret ballot is the only method that ensures a
3 choice free of coercion, intimidation, irregularity, or
4 illegality;

5 (3) the recognition of a labor organization by
6 way of a private agreement, rather than a secret bal-
7 lot election supervised by a neutral third party,
8 threatens an employee's right, codified in the Na-
9 tional Labor Relations Act, to choose whether or not
10 to be represented by a labor organization; and

11 (4) preserving workers' right to choose whether
12 or not to be represented by a labor organization
13 through a secret ballot election is important to the
14 strength of the national economy.

15 **SEC. 3. NATIONAL LABOR RELATIONS ACT.**

16 (a) RECOGNITION OF REPRESENTATIVE.—

17 (1) IN GENERAL.—Section 8(a)(2) of the Na-
18 tional Labor Relations Act (29 U.S.C. 158(a)(2)) is
19 amended by inserting before the colon the following:
20 “or to recognize or bargain collectively with a labor
21 organization that has not been selected by a major-
22 ity of employees in a unit appropriate for such pur-
23 poses in a secret ballot election conducted by the
24 Board in accordance with section 9”.

1 (2) APPLICATION.—The amendment made by
2 paragraph (1) shall not apply to collective bar-
3 gaining relationships that were recognized before the
4 date of enactment of this Act.

5 (b) ELECTION REQUIRED.—

6 (1) IN GENERAL.—Section 8(b) of the National
7 Labor Relations Act (29 U.S.C. 158(b)), as amend-
8 ed by subsection (c) of this section, is amended—

9 (A) by striking “and” at the end of para-
10 graph (6);

11 (B) by striking the period at the end of
12 paragraph (7) and inserting “; and”; and

13 (C) by adding at the end the following:

14 “(8) to cause or attempt to cause an employer
15 to recognize or bargain collectively with a represent-
16 ative of a labor organization that has not been se-
17 lected by a majority of employees in a unit appro-
18 priate for such purposes in a secret ballot election
19 conducted by the Board in accordance with section
20 9.”.

21 (2) APPLICATION.—The amendment made by
22 paragraph (1) shall not apply to collective bar-
23 gaining relationships that were recognized before the
24 date of enactment of this Act.

25 (c) SECRET BALLOT ELECTION REQUIRED.—

1 (1) DESIGNATION OF REPRESENTATIVE BY SE-
2 CRET BALLOT.—Section 9(a) of the National Labor
3 Relations Act (29 U.S.C. 159(a)), is amended—

4 (A) by inserting “(1)” after “(a)”; and

5 (B) by inserting after “designated or se-
6 lected” the following: “by a secret ballot elec-
7 tion conducted by the Board in accordance with
8 this section”.

9 (2) DECERTIFICATION.—Such section is further
10 amended by adding at the end the following:

11 “(2) The Board shall conduct a secret ballot
12 election to determine whether a labor organization
13 certified or recognized by an employer as the rep-
14 resentative for the purposes of collective bargaining
15 is no longer the representative of a unit as defined
16 in paragraph (1).”.

17 (3) APPLICATION.—The amendment made by
18 paragraph (1) shall not apply to collective bar-
19 gaining relationships that were recognized before the
20 date of enactment of this Act.

21 (d) CONFORMING AMENDMENTS.—Section 9(c)(1) of
22 such Act (29 U.S.C. 159(c)(1)) is amended—

23 (1) in subparagraph (A)—

24 (A) in clause (i), by striking “and that
25 their employer declines to recognize their rep-

1 representative as the representative defined in sec-
2 tion 9(a)” and inserting “by a representative”;
3 and
4 (B) in clause (ii), by striking “section
5 9(a);” and inserting “subsection (a),”; and
6 (2) in subparagraph (B), by striking “alleging”
7 and all that follows through “defined in section
8 9(a)”.

9 **SEC. 4. REGULATIONS.**

10 Not later than 6 months after the date of enactment
11 of this Act, the National Labor Relations Board shall re-
12 view and revise all regulations promulgated before such
13 date to implement the amendments made in this Act to
14 the National Labor Relations Act.

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