

S.4982 (Ramos)/A.6604 (Reyes)

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BILL S.4982 (Ramos)/A.6604 (Reyes)
SUBJECT Protects employee freedom of speech & conscience
DATE June 02, 2023
OPPOSE

The Business Council, on behalf of its 3,200 members opposes this bill that will interfere with employers legally protected NLRA Section 7/8 rights when interacting with their employees.

While purporting to protect employee rights regarding freedom of speech and conscience, the real purpose of this bill is to stifle employer rights when faced with employees engaged in union organizing campaigns.

Section 7 of the National Labor Relations Act (the Act) guarantees employees "the

right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection," **as well as the right "to refrain from any or all such activities."** Section 8(a)(1) of the Act makes it an unfair labor practice for an employer "to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in Section 7.

However, as long as an employer is not "threatening, coercing or promising" employees as defined in the Act, employers retain the right to meet with employees and inform them of their rights to refrain from joining a union.

This bill is counter to those employer rights protected by Federal law in the NLRA. It is a clear attempt to circumvent employer rights to maintain a union free workplace and employee rights to refrain from joining a union and for those reasons, The Business Council opposes this legislation.

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