



May 6, 2019

The Honorable Frederica Wilson
Chairman
Health, Employment, Labor, and
Pensions Subcommittee
House Education and Labor Committee
2176 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Tim Walberg
Ranking Member
Health, Employment, Labor, and
Pensions Subcommittee
House Education and Labor Committee
2176 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Wilson and Ranking Member Walberg:

I write to share the National Retail Federation's (NRF) opposition to H.R. 2474, the Protecting the Right to Organize (PRO) Act, in advance of the Subcommittee's legislative hearing. NRF has significant concerns with this sweeping legislation and its infringement on both employee and employer rights.

NRF is the world's largest retail trade association, representing discount and department stores, home goods and specialty stores, Main Street merchants, grocers, wholesalers, chain restaurants and Internet retailers from the United States and more than 45 countries. Retail is the nation's largest private sector employer, supporting one in four U.S. jobs – 42 million working Americans. Contributing \$2.6 trillion to annual GDP, retail is a daily barometer for the nation's economy.

The PRO Act seeks to fundamentally redefine labor relations by codifying radical proposals that have been rejected by the courts, the agencies charged with administering them, and/or Congress. H.R. 2474 would eliminate workers' free choice in union elections, critical privacy rights, and right-to-work protections. In addition, the bill would interfere with employers' ability to secure legal advice on complex labor matters, infringe on employers' due process rights, codify the controversial *Browning Ferris* joint employer standard, prohibit the use of arbitration for employment matters, reduce individuals' access to flexible work opportunities as independent contractors, and strip away "secondary boycott" protections that prevent unions from targeting businesses that are not a party to underlying labor disputes.

If enacted, these extreme provisions would have serious consequences for employees, employers, and the economy as a whole. NRF urges members to oppose the PRO Act and stands ready to work with members of the Committee on reforms that bolster employer and employee rights and support economic growth.

Sincerely,

David French
Senior Vice President
Government Relations