



June 25, 2019

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Support the Public Service Freedom to Negotiate Act of 2019 (H.R. 3463)

Dear Members of the House Committee on Education and Labor,

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the civil and human rights of all persons in the United States, we write to urge you to support the Public Service Freedom to Negotiate Act of 2019 (H.R. 3463). Unions play a critical role in the ability of working people to advocate for increased wages and improved workplace standards, yet the right of public servants to join a union is not protected by federal law. The Public Service Freedom to Negotiate Act of 2019 will remedy this injustice by ensuring that public employees of state, territorial, and local governments have the right to join a union and collectively bargain for better wages, benefits, and working conditions.

Unions play an important role in advancing civil rights protections for working people. Unionized public service workers—the majority of whom are women and one-third of whom are African American, Latino, or Asian American and Pacific Islanders—have narrowed gender and race wage gaps, secured higher safety standards, and won more resources to meet the needs of the people they serve.ⁱ Enabling working people to freely exercise the right to form unions is one of the most effective, efficient, and comprehensive ways to translate promised equal opportunity into real economic security.

Unlike private sector workers, however, public sector workers like teachers, firefighters, and other public servants have no federal law that protects their freedom to join a union and collectively bargain for fairer wages and working conditions. This leaves public sector workers vulnerable to attacks by anti-union and corporate entities seeking to cut wages and benefits and weaken worker protections by silencing the voices of working people. At the state level, these efforts have resulted in legislation that severely curtails or even eliminates public employees' freedom to organizeⁱⁱ. Just last year, the U.S. Supreme Court overturned 40 years of precedent in *Janus v. AFSCME*, stripping unions of their ability to collect agency fees from non-members in order to collectively bargain for improvements that benefit all employees.ⁱⁱⁱ

The Public Service Freedom to Negotiate Act of 2019 will serve as a long overdue remedy for the dedicated public employees working every day to improve their communities by codifying their collective bargaining rights, including the right to:

- Join together in a union selected by a majority of employees;
- Collectively bargain over wages, hours, and terms and conditions of employment;



- Access dispute resolution mechanisms, such as mediation, fact-finding, and arbitration;
- Utilize voluntary payroll deduction for union dues;
- Engage in concerted activities related to collective bargaining and mutual aid; and
- Have their union be free from requirements to hold rigged recertification elections.

Through organizing, bargaining, litigation, legislative, and political advocacy, unions and the labor movement have played a significant role in advancing the rights and interests of people of color and women in the workplace and in our society overall. Unions can best play this role when the right of workers to organize and bargain is fully protected and can be freely exercised.

Working people in America need – and have a right to enjoy – the benefits that result from collective bargaining and union membership. We urge you to stand with our country’s 17.3 million public employees and fight back against the unrelenting attacks on working people by passing the Public Service Freedom to Negotiate Act of 2019. If you have any questions, please contact Gaylynn Burroughs, Senior Policy Counsel at burroughs@civilrights.org.

Sincerely,

Vanita Gupta
President & CEO

ⁱ Wolfe, Julia and Schmitt, John. “A Profile of Union Workers in State and Local Government.” *Economic Policy Institute*. June 7, 2018. Available at <https://www.epi.org/publication/a-profile-of-union-workers-in-state-and-local-government-key-facts-about-the-sector-for-followers-of-janus-v-afscme-council-31/>.

ⁱⁱ Lafer, Gordon. “The Legislative Attack on American Wages and Labor Standards, 2011-2012.” *Economic Policy Institute*. October 31, 2013. Available at <https://www.epi.org/publication/attack-on-american-labor-standards/>.

ⁱⁱⁱ Miller, Brian. “Unpacking the Janus Decision.” *Forbes*. June 27, 2018. Available at <https://www.forbes.com/sites/briankmiller/2018/06/27/unpacking-the-janus-decision/#7826d21f41a4>.