



April 17, 2023

U.S. House of Representatives
Washington, DC 20515

U.S. Senate
Washington, DC 20510

Dear Representatives and Senators:

On behalf of Associated Builders and Contractors, a national construction industry trade association with 68 chapters representing more than 22,000 members, I write in support of the Employee Rights Act.

The ERA provides essential protections for workers' rights, choices and freedoms, standing in stark contrast with the so-called Protecting the Right to Organize Act. The PRO Act, which would damage the economy, cost millions of American jobs, threaten vital supply chains and greatly diminish opportunities for entrepreneurs and small businesses.

It is essential that Congress act to strengthen the rights, flexibility and privacy protections of workers laid out in the ERA as the Biden administration, most notably through the National Labor Relations Board and U.S. Department of Labor, seeks to implement provisions of the PRO Act through regulatory action.

ABC is supportive of the ERA and these provisions:

Ensuring the Use of Secret Ballots in Union Elections:

The ERA would ensure that any effort to organize a workplace or hold a strike is subject to a private ballot vote. Secret ballot elections ensure that workers have a privacy-protected vote that reflects their true preference for unionization in their workplace. Attempts to eliminate the secret ballot vote and replace it with a card check system where workers' votes are public means that employees' rights to a private ballot in union elections are stripped away in favor of a card check system. ABC believes that efforts to eliminate a secret ballot can expose workers to intimidation and coercion and that votes for representation in the workplace must uphold the standard of a private, secret ballot.

Stimulating Local Businesses and Entrepreneurship Opportunities:

The ERA includes the ABC-supported Save Local Business Act, which clarifies the joint employer standard to provide clarity and certainty for small business owners and workers. It would protect the traditional contractor and subcontractor relationship in construction and give more Americans the opportunity to start their own businesses. This provision would restore clarity and protect businesses from unnecessary involvement in labor negotiations and disputes involving workplaces in which they do not have direct control.

