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LEGISLATIVE ACTION ALERT

Democrats, unions redouble push to move NLRB elections online

The agency is risking the lives of workers and of its own staff by mandating that voters show up in-person mid-pandemic, they say.

By **ELEANOR MUELLER** 07/16/2020 *POLITICO*©

According to an article posted on line by *POLITICO*©, Democrats and unions are stepping up pressure on the National Labor Relations Board to conduct its elections electronically to avoid the risks of in-person voting during the pandemic but are clashing with conservatives warning about fraud — mirroring the debate in the presidential race.

The NLRB, which oversees the elections that determine whether workers may form unions, is forbidden from collecting votes electronically by language included in every congressional appropriations bill since 2012. Now, as social distancing requirements continue to jeopardize in-person voting, labor groups want Congress to delete that language from fiscal 2021 spending packages and direct the agency to form its own electronic election system.

Republicans and right-to-work groups counter that conducting elections electronically opens the door to fraud and coercion on the part of labor organizations, echoing a charge that President Donald Trump [has leveled at efforts](#) to expand mail-in voting in the November election.

Democrats and unions counter that the agency is risking the lives of workers and of its own staff by mandating that voters show up in-person. Mail-in ballots, they say, are rejected by most employers — leaving electronic elections, something they considered during the Obama administration, as the only viable option.

PA REPUBLICAN CONGRESSMAN BRIAN FITZPATRICK STANDS UP FOR WORKER'S SAFETY

Levin, Fitzpatrick Introduce Bipartisan SAFE Workers Act for Electronic Union Elections



SAFE (Secure and Fair Elections for) Workers Act

July 2, 2020 Press Release

Today, Congressman Andy Levin (MI-09), Vice Chair of the House Education & Labor Committee, Congressman Brian Fitzpatrick (PA-01), and 44 other members of Congress introduced the SAFE (Secure and Fair Elections for) Workers Act. This bill undoes the harmful prohibition of electronic voting in union elections and requires the National Labor Relations Board (NLRB) to conduct elections remotely due to the public health risks of in-person voting during the coronavirus pandemic.

“This Tuesday, Dr. Fauci warned we could start seeing as many as 100,000 new COVID-19 cases per day. Also Tuesday, the NLRB announced a plan to restart in-person union elections,” **Rep. Levin said**. “This is unnecessarily dangerous. Having electronic voting processes would add a useful and necessary tool in the NLRB’s toolbox to protect the safety of workers – including NLRB employees – while ensuring that the right to organize is preserved.”

“COVID-19 has drastically changed the daily lives of hard-working Americans. It is more important than ever to make sure that workers’ rights are protected, and that we can ensure their health and safety,” **said Rep. Fitzpatrick**. “The NLRB must guarantee that workers across the country can exercise their right to organize during the COVID-19 pandemic and that fair elections are held. I am glad to be working with Congressman Levin on this important issue.”

The SAFE Workers Act protects worker safety by:

- Repealing a 2012 appropriations rider that prohibits developing electronic voting infrastructure;
- Directing the NLRB to create a system and procedures for electronic voting in union elections;
- Requiring the NLRB to use their newly developed electronic voting system during the pandemic (or to use mail-ballots in the exceptional cases where electronic voting may be impractical);
- Requiring use of the National Mediation Board’s existing system if the NLRB cannot stand their system up within 60 days; and
- Dedicating \$1,000,000 in funding for the NLRB to develop the appropriate system and procedures.

In April, Reps. Levin and Fitzpatrick [led a letter](#) to House leadership with 166 additional bi-partisan co-signers requesting inclusion of funding and a directive for electronic union voting in what would eventually become the HEROES Act.

The SAFE Workers Act is endorsed by the AFL-CIO; American Federation of Teachers (AFT); Communications Workers of America (CWA); International Association of Machinists and Aerospace Workers (IAMAW); International Federation of Professional and Technical Engineers (IFPTE); Transit Workers Union of America (TWU); United Food & Commercial Workers International Union (UFCW); and United Steelworkers (USW).

In addition to Reps. Levin and Fitzpatrick, the SAFE Workers Act is cosponsored by:

Earl Blumenauer (OR-03), Lisa Blunt Rochester (DE-At Large), Suzanne Bonamici (OR-01), Brendan F. Boyle (PA-02), André Carson (IN-07), Ed Case (HI-01), Steve Cohen (TN-09), Mark DeSaulnier (CA-11), Ted Deutch (FL-22), Mike Doyle (PA-18), Anna G. Eshoo (CA-18), Ruben Gallego (AZ-07), John Garamendi (CA-03), Jesús G. "Chuy" García (IL-04), Al Green (TX-09), Jahana Hayes (CT-05), Brian Higgins (NY-26), Pramila Jayapal (WA-07), Marcy Kaptur (OH-09), Ro Khanna (CA-17), Derek Kilmer (WA-06), John B. Larson (CT-01), Alan Lowenthal (CA-47), Ben Ray Lujan (NM-03), Stephen Lynch (MA-08), Donald Norcross (NJ-01), Eleanor Holmes Norton (DC), Frank Pallone, Jr. (NJ-06), Mark Pocan (WI-02), Max Rose (NY-11), Tim Ryan (OH-13), Linda T. Sánchez (CA-39), Jan Schakowsky (IL-09), David Scott (GA-13), José E. Serrano (NY-15), Elissa Slotkin (MI-08), Adam Smith (WA-09), Darren Soto (FL-09), Rashida Tlaib (MI-13), Lori Trahan (MA-03), David Trone (MD-06), Juan Vargas (CA-51), Susan Wild (PA-07), Frederica S. Wilson (FL-24)

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