



March 5, 2021

U.S. House of Representatives
Washington, DC 20515

Dear Representative:

On behalf of Associated Builders and Contractors, a national trade association with 69 chapters representing more than 21,000 members, I am writing to express our opposition to the Protecting the Right to Organize Act (H.R. 842). **ABC strongly urges you to oppose H.R. 842 and will consider this a “KEY VOTE” for our scorecard on the 117th Congress.**

While proponents of this bill claim it would simply protect the ability of workers to join a union if they so choose, the PRO Act would instead strip workers of their privacy, freedom and choice. Additionally, the PRO Act would impose undue costs on our nation’s small businesses at a time when they have been severely impacted by the COVID-19 pandemic and are striving to maintain their operations and provide jobs for millions of hardworking taxpayers.

The bill violates basic employee privacy rights, forcing employers to turn over employees’ phone numbers, addresses and email addresses without consent and replace secret ballots in union elections with “card check,” a system where votes are made public and employees fear retribution for voting their conscience. These provisions are not designed to help employees but instead expose them to harassment and intimidation unless they back unionization efforts.

The PRO Act also codifies into law the National Labor Relation Board’s controversial joint employer standard, which threatens our country’s small and local businesses by curbing the opportunity to own a franchise business or work independently. Additionally, H.R.842 implements new restrictions for independent contractors, curbing the freedom and flexibility to work independently through gig economy platforms and traditional independent contractor roles.

Since 1943, a total of 27 states have passed right-to-work laws prohibiting employers from requiring employees to join unions as a condition of employment, incentivizing competition and producing a better work environment for businesses and workers. The PRO Act would completely reject this choice by eliminating these independently, state-passed laws, forcing individuals to join a specific union and forfeit a portion of their hard-earned paychecks to support the activities and influence of unions if they want a job at a unionized factory, jobsite, school or company.

Voters and economists agree that the PRO Act will cause irreparable harm to U.S. businesses. A recent [analysis by the American Action Forum](#) proved the PRO Act’s economic cost would be disastrous for the economy. The provision limiting independent contractors’ rights would affect 8.5% of GDP and put up to \$12.1 billion of additional annual cost pressure on employers, and the joint employer provision would cost up to \$33.3 billion in lost annual output for the franchise business sector alone.

These harmful provisions included in H.R. 842 would have a devastating impact on construction in the United States and cause significant harm to our nation's economy at this critical junction. **ABC urges you to vote NO on the PRO Act and will consider the vote a "KEY VOTE" for our scorecard on the 117th Congress.**

Sincerely,

A handwritten signature in black ink, appearing to read "K Swearingen". The signature is written in a cursive, flowing style.

Kristen Swearingen
Vice President, Legislative & Political Affairs