



IFDA Key Vote

February 4, 2020

Dear Representative:

On behalf of the nation's foodservice distributors, I am writing to urge you to oppose the Protecting the Right to Organize (PRO) Act, HR 2474 when it comes before the House of Representatives. This legislation would make major changes to long-established labor laws, drastically reduce employee privacy and radically remake the nation's employment landscape.

Much like the Employee Free Choice Act (EFCA) which failed to pass Congress a decade ago, the PRO Act would endanger the right to a secret ballot election to determine if employees wish to be represented by a union by implementing a card check regime. This would subject employees to coercion and harassment rather than allowing them to make this critical decision in private. Like EFCA it would also allow arbitrators with no understanding of a business to dictate contract terms.

Yet the PRO Act also goes well beyond EFCA. It would eliminate Right to Work laws which now exist in 27 states to allow workers the ability to choose for themselves if they wish to join a union at their workplace. Repealing these laws would force employees to join the union and pay dues to an organization they may or may not support.

The bill would also codify the National Labor Relations Board's *Browning-Ferris* decision regarding the joint-employer standard. Under this standard, businesses could be held liable for employment decisions made by their contractors or hold franchisors liable for the actions of franchisees. This would imperil the franchise business model which is used successfully by many distributor customers.

The PRO Act would also permit secondary boycotts meaning unions could target neutral third parties that are not involved in the labor dispute at hand. Finally the bill would destroy employer due process rights. Employers would see their right to counsel significantly limited and would not be able to challenge union misconduct during an election.

These are only some of the provisions of the PRO Act which would trample on the rights of American workers and companies. The impact of these new policies on the nation's businesses and our overall economy would be severe. I strongly urge you to oppose this dangerously misguided legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Eisen", is written over a light blue horizontal line.

Jonathan Eisen
Senior Vice President, Government Relations