

104<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3211

To amend the National Labor Relations Act to protect employer rights.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 1996

Mr. FAWELL introduced the following bill; which was referred to the  
Committee on Economic and Educational Opportunities

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## A BILL

To amend the National Labor Relations Act to protect  
employer rights.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Truth in Employment  
5       Act of 1996”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that:

8               (1) An atmosphere of trust and civility in labor-  
9       management relationships is essential to a produc-  
10      tive workplace and a healthy economy.

1           (2) The tactic of using professional union orga-  
2           nizers and agents to infiltrate a targeted employer’s  
3           workplace, a practice commonly referred to as “salt-  
4           ing” has evolved into an aggressive form of harass-  
5           ment not contemplated when the National Labor Re-  
6           lations Act was enacted and threatens the balance of  
7           rights which is fundamental to our system of collec-  
8           tive bargaining.

9           (3) Increasingly, union organizers are seeking  
10          employment with nonunion employers not because of  
11          a desire to work for such employers but primarily to  
12          organize the employees of such employers or to in-  
13          flict economic harm specifically designed to put non-  
14          union competitors out of business, or to do both.

15          (4) While no employer may discriminate against  
16          employees based upon their views concerning collec-  
17          tive bargaining, an employer should have the right  
18          to expect job applicants to be primarily interested in  
19          utilizing their skills to further the goals of the  
20          business.

21 **SEC. 3. PURPOSES.**

22          The purpose of this Act is—

23               (1) to preserve the balance of rights between  
24          employers, employees, and labor organizations which

1 is fundamental to our system of collective bargain-  
2 ing;

3 (2) to preserve the rights of workers to orga-  
4 nize, or otherwise engage in concerted activities pro-  
5 tected under the National Labor Relations Act; and

6 (3) to alleviate pressure on employers to hire  
7 individuals who seek or gain employment in order to  
8 disrupt the employer's workplace or otherwise inflict  
9 economic harm designed to put the employer out of  
10 business.

11 **SEC. 4. PROTECTION OF EMPLOYER RIGHTS.**

12 Section 8(a) of the National Labor Relations Act (29  
13 U.S.C. 158) is amended by adding after and below para-  
14 graph (5) the following:

15 "Nothing in this subsection shall be construed as requir-  
16 ing an employer to employ any person who seeks or has  
17 sought employment with the employer in furtherance of  
18 other employment or agency status."

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