

COALITION FOR A DEMOCRATIC WORKPLACE

December 8, 2016

Vice President-Elect Michael Pence:

On behalf of the Coalition for a Democratic Workplace (CDW) and the undersigned 156 state and national organizations, I write to congratulate you on the recent election and urge you as head of President-elect Donald Trump's transition team to quickly fill the two vacancies at the National Labor Relations Board (NLRB or Board) with qualified experts.

CDW is a broad-based coalition of over 600 organizations representing hundreds of thousands of employers and millions of employees in various industries across the country concerned with the disruption caused by the NLRB's eight-year campaign to re-write labor laws.¹ CDW was originally formed in 2005 in opposition to the so-called Employee Free Choice Act (EFCA), which would have replaced secret ballots in unionization elections with "card check," a process that would have forced employees to choose whether or not to sign union authorization cards in front of coworkers and union organizers, exposing employees to potential intimidation and harassment by those in favor of unionization. When EFCA was defeated, CDW turned its focus to regulatory overreach by the NLRB, which has tried to enact the goals of EFCA through its decisions and regulations.

Over the last eight years, the NLRB has overturned an astounding total of 4,559 years' worth of long-standing precedent,² blurred numerous bright-line tests, and dramatically overhauled the union election process – all in an effort to benefit organized labor. The Board embarked upon this campaign with little regard as to the negative impact these policy decisions would have on workers, employers and the economy in general. CDW has opposed this regulatory overreach through litigation; both by directly challenging Board rules and through amicus briefs challenging Board decisions. We have also advocated for legislation, policy riders and Congressional Review Act Resolutions to rein in the Board. Despite our efforts, the Board has continued with its radical agenda at the expense of worker and employer rights and our economy. We provide details on some of the Board's more destructive actions on our website <http://myprivateballot.com/issues/>.

The new Administration can return balance to the NLRB by nominating new Board members who will interpret the National Labor Relations Act in a manner that is fair to workers, unions and employers alike. Moreover, returning the Board to its traditional role as a neutral arbiter of labor disputes will create a climate for economic growth by freeing employers from the unnecessary red-tape and uncertainty associated with recent Board activities. The Administration has the opportunity to do this by nominating two qualified experts to the Board upon inauguration.

¹ More about CDW and our membership is available at <http://myprivateballot.com/about/>.

² CDW recently released a detailed report on precedent overturned by the Board during President Obama's term. You can find that report [here](#).

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We also urge the new administration to immediately designate the current sole Republican Board Member, Phillip Miscimarra, as chairman of the NLRB. Mr. Miscimarra has substantial experience and has worked on the Board for three years, giving him the insight to immediately begin the work that needs to be done.

Thank you for your attention to these matters. We look forward to working with the new administration on these issues. Please use us and our website as a resource as you move forward with the transition.

Sincerely,

Coalition for a Democratic Workplace

And

National Organizations

AKFCF (Association for Kentucky Fried Chicken Franchisees)

Air Conditioning Contractors of America- ACCA

Air Conditioning Trade Association (ACTA)

American Bakers Association

American Fire Sprinkler Association

American Foundry Society

American Home Furnishings Alliance

American Hotel & Lodging Association

American Moving & Storage Association

American Pipeline Contractors Association

American Rental Association

American Staffing Association

American Supply Association

American Trucking Associations

AmericanHort

Americans for Tax Reform

AMT- The Association For Manufacturing Technology

Argentum

Asian American Hotel Owners Association

Associated Builders and Contractors, Inc.

Associated General Contractors

Associated Equipment Distributors

Auto Care Association

Blue Roof Franchisee Association, Inc.

Building Material Suppliers Association

CAWA- Representing the Automotive Parts Industry

Center for the Defense of Free Enterprise

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Center for Worker Freedom
Coalition of Franchisee Associations
Consumer Technology Association
Equipment Dealers Association
Equipment Marketing & Distribution Association (EMDA)
Farm Equipment Manufacturers Associations
Fluid Power Distributors Association
Food Marketing Institute
Forging Industry Association
Franchise Business Services
Global Cold Chain Alliance
HR Policy Association
Independent Electrical Contractors
Independent Office Products & Furniture Dealers Association
Industrial Fasteners Institute
Interlocking Concrete Pavement Institute
International Foodservice Distributors Association
International Franchise Association
International Warehouse Logistics Association
Jimmy John's Franchise Association
KF Franchise Association
Metals Service Center Institute
Motor & Equipment Manufacturers Association
Mountain States Lumber and Building Material Dealers Association
NAHAD- The Association for Hose & Accessories Distribution
National Association of Electrical Distributors
National Association of Home Builders
National Association of Manufacturers
National Association of Wholesaler-Distributors
National Automobile Dealers Association
National Club Association
National Concrete Masonry Association
National Council of Chain Restaurants
National Federation of Independent Business
National Franchisee Association
National Grocers Association
National Lumber and Building Material Dealers Association
National Marine Distributors Association
National Office Products Alliance
National Pest Management Association
National Precast Concrete Association
National Ready Mixed Concrete Association
National Restaurant Association

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National Retail Federation
National Roofing Contractors Association
National Stone, Sand and Gravel Association
National Tooling and Machining Association
NATSO, Representing America's Travel Plazas and Truckstops
Northeastern Retail Lumber Association (NRLA)
Office Furniture Dealers Alliance
Outdoor Power Equipment and Engine Service Association
Papa Murphy's Franchisee Association
Popeyes International Franchisee Association, Inc.
Precision Machined Products Association
Precision Metalforming Association
Precious Metals Association of North America
Printing Industries of America
Retail Industry Leaders Association
Security Hardware Distributors Association
SNAC International (formerly Snack Food Association)
Southeastern Lumber Manufacturers Association
Textile Rental Services Association
Truck Renting and Leasing Association
United Motorcoach Association
U. S. Chamber of Commerce
Western Electrical Contractors Association (WECA)
60 Plus Association

State and Local Organizations

Arizona Builders Alliance
Associated Builders and Contractors of California
Associated Builders and Contractors of Florida
Associated Builders and Contractors of Iowa
Associated Builders and Contractors of Metro Washington
Associated Builders and Contractors of Michigan
Associated Builders and Contractors of Minnesota/ North Dakota
Associated Builders and Contractors of Oklahoma
Associated Builders and Contractors of Southeast Michigan
Associated Builders and Contractors of the Carolinas
Associated Builders and Contractors of Western PA
Associated Builders and Contractors of Wisconsin
Associated Builders and Contractors, Alabama Chapter
Associated Builders and Contractors, Arkansas Chapter
Associated Builders and Contractors, Central California Chapter
Associated Builders and Contractors, Central Florida Chapter
Associated Builders and Contractors, Central Pennsylvania Chapter

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Associated Builders and Contractors, Central Texas Chapter
Associated Builders and Contractors, Chesapeake Shores Chapter
Associated Builders and Contractors, Connecticut Chapter
Associated Builders and Contractors, Cumberland Valley Chapter
Associated Builders and Contractors, Delaware Chapter
Associated Builders and Contractors, Florida East Coast Chapter
Associated Builders and Contractors, Florida Gulf Coast Chapter
Associated Builders and Contractors, Georgia Chapter
Associated Builders and Contractors, Greater Michigan Chapter
Associated Builders and Contractors, Greater Tennessee Chapter
Associated Builders and Contractors, Hawaii Chapter
Associated Builders and Contractors, Heart of America Chapter
Associated Builders and Contractors, Illinois Chapter
Associated Builders and Contractors, Indiana/ Kentucky
Associated Builders and Contractors, Keystone Chapter
Associated Builders and Contractors, Los Angeles/ Ventura Chapter
Associated Builders and Contractors, Maine Chapter
Associated Builders and Contractors, Massachusetts Chapter
Associated Builders and Contractors, Mississippi Chapter
Associated Builders and Contractors, New Jersey Chapter
Associated Builders and Contractors, New Orleans/ Bayou Chapter
Associated Builders and Contractors, North Alabama Chapter
Associated Builders and Contractors, North Florida Chapter
Associated Builders and Contractors, Northern California Chapter
Associated Builders and Contractors, Northern Ohio Chapter
Associated Builders and Contractors, Ohio Valley Chapter
Associated Builders and Contractors, Rhode Island Chapter
Associated Builders and Contractors, Rocky Mountain Chapter
Associated Builders and Contractors, San Diego Chapter
Associated Builders and Contractors, South Texas Chapter
Associated Builders and Contractors, Southern California Chapter
Associated Builders and Contractors, Texas Coastal Bend
Associated Builders and Contractors, Texas Mid Coast Chapter
Associated Builders and Contractors, TEXO Chapter
Associated Builders and Contractors, Utah Chapter
Associated Builders and Contractors, Virginia Chapter
Associated Builders and Contractors, Western Michigan Chapter
California Delivery Association
Manufacturer & Business Association (Erie, Pennsylvania)
Nebraska Chamber of Commerce and Industry
OMEGA: West Virginia Oil Marketers & Grocers Association
Pelican Chapter Associated Builders and Contractors, Inc.
The Cornhusker Chapter of the Associated Builders and Contractors

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The State Chamber of Oklahoma
Wisconsin Manufacturers and Commerce (WMC)