

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To amend the National Labor Relations Act and the Railway Labor Act to clarify the applicability of such Act with respect to States that have right to work laws in effect.

**IN THE SENATE OF THE UNITED STATES—112th Cong., 1st Sess.**

**S. 493**

To reauthorize and improve the SBIR and STTR programs, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. ALEXANDER (for himself and Mr. GRAHAM)

Viz:

1 At the appropriate place, insert the following:

2 **SEC. \_\_\_\_ . PROTECTION OF RIGHT TO WORK.**

3 (a) APPLICABILITY OF NLRA TO STATE RIGHT TO  
4 WORK LAWS.—Section 14 of the National Labor Rela-  
5 tions Act (29 U.S.C. 164) is amended by striking sub-  
6 section (b) and inserting the following:

7 “(b) Nothing in this Act shall be construed to limit  
8 the application of any State law that prohibits, or other-  
9 wise places restraints upon, agreements between labor or-  
10 ganizations and employers that make membership in the

1 labor organization, or that require the payment of dues  
2 or fees to such organization, a condition of employment  
3 either before or after hiring.”.

4 (b) APPLICABILITY OF RAILWAY LABOR ACT TO  
5 STATE RIGHT TO WORK LAWS.—Title II of the Railway  
6 Labor Act (45 U.S.C. 181 et seq.) is amended by adding  
7 at the end the following:

8 **“SEC. 209. EFFECT ON STATE RIGHT TO WORK LAWS.**

9 “Nothing in this Act shall be construed to limit the  
10 application of any State law that prohibits, or otherwise  
11 places restraints upon, agreements between labor organi-  
12 zations and carriers that make membership in the labor  
13 organization, or that require the payment of dues or fees  
14 to such organization, a condition of employment either be-  
15 fore or after hiring.”.