

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.”.