Microsoft Outlook

From: Willen, Debra L
Sent: Wednesday, June 01, 2011 10:34 AM
To: Kearney, Barry J.; Farrell, Ellen; Sophir, Jayme
Cc: Szapiro, Miriam
Subject: FW: Text of bill to block Boeing relocation

From: Compton, Kayce R.
Sent: Wednesday, June 01, 2011 10:25 AM
To: Szapiro, Miriam; Willen, Debra L
Subject: FW: Text of bill to block Boeing relocation

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FYI

From: Martin, Andrew
Sent: Wednesday, June 01, 2011 7:32 AM
Subject: Text of bill to block Boeing relocation

112th CONGRESS

1st Session

H. R. 1976

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

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2011

Mr. SCOTT of South Carolina (for himself, Mr. WILSON of South Carolina, Mr. GOWDY, Mr. DUNCAN of South Carolina, and Mr. MULVANEY) introduced the following bill; which was referred to the Committee on Education and the Workforce

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A BILL

NLRB-FOIA-00005247

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Job Protection Act".

SEC. 2. APPLICATION TO CERTAIN SPEECH, BUSINESS DECISIONS.

(a) Unfair Labor Practices.—Section 8(a)(3) of the National Labor Relations Act (29 U.S.C. 158(a)(3)) is amended by inserting before the semicolon at the end the following: ": *Provided further,* That an employer's expression of any views, argument, or opinion related to the costs associated with collective bargaining, work stoppages, or strikes, or the dissemination of such views, arguments, or opinions, whether in written, printed, graphic, digital, or visual form, shall not constitute or be evidence of antiunion animus or unlawful motive, if such expression contains no threat of reprisal or force or promise of benefit".

(b) Prevention of Unfair Labor Practices.—Section 10 of the National Labor Relations Act (29 U.S.C. 160) is amended—

(1) in subsection (a), by inserting after the period at the end the following: "*: Provided further,* That the Board shall have no power to order any employer to relocate, shut down, or transfer any existing or planned facility or work or employment opportunity, or prevent any employer from making such relocations, transfers, or expansions to new or existing facilities in the future, or prevent any employer from closing a facility, not developing a facility, or eliminating any employment opportunity unless and until the employer has been adjudicated finally to have unlawfully undertaken such actions—

"(1) without advance notice to the labor organization, if any, representing the bargaining unit of the affected employees, of the economic reason(s) for the relocation, shut down, or transfer of existing or future work; or

"(2) as a primary and direct response to efforts by a labor organization to organize a previously unrepresented workplace"; and

(2) by adding at the end the following:

"(n) Nothing in this Act shall prevent an employer from choosing where to locate, develop, or expand its business or facilities, or require any employer to move, transfer, or relocate any facility, production line, or employment opportunity, or require that an employer cease or refrain from doing so, or prevent any employer from closing a facility or eliminating any employment opportunity unless the employer has been adjudicated finally to have unlawfully undertaken such actions—

"(1) without advance notice to the labor organization, if any, representing the bargaining unit of the affected employees, of the economic reason(s) for the relocation, shut down, or transfer of existing or future work; or

"(2) as a primary and direct response to efforts by a labor organization to organize a previously unrepresented workplace.".

NLRB-FOIA-00005248

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