Microsoft Outlook

From: Cleeland, Nancy
Sent: Tuesday, May 03, 2011 3:21 PM
To: Solomon, Lafe E.
Subject: FW: question for daily story
Attachments: BAI11235.pdf; image001.jpg

Hi - hope the talk went well.

You probably know that Sens Alexander and Graham introduced an amendment to section 14 of the NLRA. They say it would prevent something like the Boeing complaint from being issued. [redacted] Exemption 5 Wanted you to see it. Reporters are asking for comment, but I think we should say [redacted] Exemption 5 [redacted].

From: Lauren Smith [LaurenSmith@cqrollcall.com]
Sent: Tuesday, May 03, 2011 3:12 PM
To: Cleeland, Nancy
Subject: RE: question for daily story

Here is a copy of the amendment:

They say it: "Strengthen the existing protection in the National Labor relations Act of state right-to-work law to ensure that state laws cannot be pre-empted by union contracts or the NLRB. It provides necessary clarity to prevent the NLRB from moving forward in their case against Boeing or attempting a similar strategy against other companies. It updates the current law with the following:

Nothing in the Act shall be construed to limit the application of any State law that prohibits, or otherwise places restraints upon, agreements between labor organizations and employers, or that require the payment of dues or fees to such organizations, a condition of employment either before or after hiring."

From: Cleeland, Nancy [mailto:Nancy.Cleeland@nlrb.gov]
Sent: Tuesday, May 03, 2011 3:05 PM
To: Lauren Smith
Subject: RE: question for daily story

Hi Lauren,

I realize I was mistaken. I'd gotten the idea that this was a national right to work bill from another reporter; it turns out that's not what this is. We're trying to figure out exactly what it would do.

From: Lauren Smith [LaurenSmith@cqrollcall.com]
Sent: Tuesday, May 03, 2011 3:03 PM
To: Cleeland, Nancy
Subject: question for daily story

Hey Nancy -- Thanks for helping me out with this. I really appreciate it!

For the daily story about Sens. Alexander and Graham's right-to-work legislation, I'd love to get a comment on the ramifications of the language, both for labor and for the NLRB. Something similar to what we talked about over the phone:

That this is an attempt to mandate all states adopt right-to-work policies. That this legislation is really nothing new and has been introduced by the GOP many times before.

To give you a better sense of what I'm looking into for my feature story: I'm writing about the natural oscillation of the board and it's pro-union vs. pro-business decisions depending on which party is controlling the White House. My argument is that the Boeing case provides ammunition to those that are trying to prove the NLRB has an activist agenda, but in reality, the NLRB under Obama is no more pro-union than it was pro-business under the previous Bush administration. The NLRB is also under much greater scrutiny on the whole due to the larger labor environment. I would love to get a comment about the natural progression of the board becoming politicized, and how it's historically seesawed between pro-union and pro-business decisions based on the administration.

Thanks so much and please let me know if you have any questions! I'm on my cell today: 617-633-0425

Best,
Lauren

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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

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

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

''SEC. 209. EFFECT ON STATE RIGHT TO WORK LAWS.

''Nothing in this Act shall be construed to limit the application of any State law that prohibits, or otherwise places restraints upon, agreements between labor organizations and carriers that make membership in the labor organization, or that require the payment of dues or fees to such organization, a condition of employment either before or after hiring.''.

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