

TOP TEN ATTACKS ON THE NATIONAL LABOR RELATIONS BOARD – 2011

1. Refusing to act on the President's nominees to the NLRB, threatening that the Board will go out of business at the end of this year; Member Brian Hayes' public criticism of the NLRB and his threat to resign in order to deprive the NLRB of a quorum and threaten its ability to act.

[http://edworkforce.house.gov/UploadedFiles/Letter_to_Chairman_Kline.pdf;

<http://www.lrionline.com/wp-content/uploads/11-11-21-Chairman-Pearce-Response-to-Member-Hayes.pdf>]

2. Passing legislation in the House to deny the NLRB authority to remedy illegal unfair labor practices whenever a company eliminates or transfers work in order to deny workers their rights.

[HR 2587: <http://www.govtrack.us/congress/billtext.xpd?bill=h112-2587>]

3. Conducting eight House hearings this year, before four different House committees: Education & Workforce, Appropriations, Oversight and Government Reform, and Small Business.

House Committee on Education & the Workforce –

Feb. 11: *Emerging Trends at the National Labor Relations Board*;

<http://edworkforce.house.gov/Calendar/EventSingle.aspx?EventID=223394>

May 26: *Corporate Campaigns and the NLRB: The Impact of Union Pressure on Job Creation*;

<http://edworkforce.house.gov/Calendar/EventSingle.aspx?EventID=242129>

July 7: *Rushing Union Elections: Protecting the Interests of Big Labor at the Expense of Workers' Free Choice*;

<http://edworkforce.house.gov/Calendar/EventSingle.aspx?EventID=249459>

September 22: *Culture of Union Favoritism: Recent Actions of the National Labor Relations Board*;

<http://edworkforce.house.gov/Calendar/EventSingle.aspx?EventID=260180>

House Committee on Appropriations – April 6:

<http://appropriations.house.gov/Calendar/EventSingle.aspx?EventID=236067>

House Committee on Oversight and Government Reform – Field Hearing – June 17:

http://oversight.house.gov/index.php?option=com_content&view=article&id=1339%3A6-17-11-unionization-through-regulation-the-nrlbs-holding-pattern-on-free-enterprise&catid=12&Itemid=1

House Committee on Small Business – October 5:

<http://smallbusiness.house.gov/Calendar/EventSingle.aspx?EventID=262090>

4. Voting out of committee and acting on legislation to block the NLRB's proposed election rules, amend the NLRA to mandate delay and increase opportunities for employers to delay elections, and overturn *Specialty Healthcare* and impose confusing new rules on who can join together to bargain. [HR 3094; <http://www.govtrack.us/congress/bill.xpd?bill=h112-3094>] Proposing appropriations riders to defund issuance/enforcement of the NLRB's proposed election rules.

5. Personally attacking the Acting General Counsel: issuing the following allegation against the Acting GC: "it now appears you have intentionally withheld responsive documents," which, the letter says, constitutes "a federal crime to obstruct a congressional investigation;" accusing the Acting GC of involving "politically connected special interests" in his decision to issue complaint against Boeing, [October 17, 2011, letter to NLRB Acting General Counsel Lafe Solomon from House Oversight and Government Reform Committee Chair Darrell Issa]; and threatening debarment of the Acting GC and other NLRB attorneys in connection with a Congressional subpoena. [August 17, 2011, letter to Solomon from Issa.]

6. Proposing appropriations riders to defund enforcement of the NLRB's Notice Posting rule; proposing legislation to void the notice posting rule. [HR 2833; <http://www.opencongress.org/bill/112-h2833/show>; and HR 2854; <http://www.opencongress.org/bill/112-h2854/show>.]

7. Proposing to totally defund the NLRB [in February, 176 GOP members voted to 100% defund]; proposing a budget that would force the Board to furlough all its employees for most of the remaining days of FY 2011; proposing for FY 2012 to reduce the Board's budget by 17% from last year and 19% less than the President's budget.

8. Introducing a bill, HR 2926, in September, to abolish the NLRB and transfer its authority to the Department of Justice. [<http://thomas.loc.gov/cgi-bin/query/z?c112:H.R.2926>.]

9. Demanding the following information: (a) work emails from 41 NLRB employees, for a total of over 150,000 emails; (b) the actual ballots of any elections pending when *Lamons' Gasket* was decided [in this case, the Board restored the over-40-year-old precedent that allows bargaining following voluntary recognition]; (c) transcribed interviews of six NLRB employees; (d) internal deliberative documents from the General Counsel's office while it is actively prosecuting an unfair labor practice case against Boeing.

10. Requiring that the Acting GC travel to South Carolina, under threat of subpoena, to a "field" hearing by House Committee on Oversight and Government Reform, which included testimony by the Governor of South Carolina and its Attorney General.