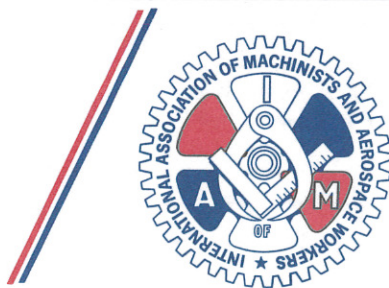


**International
Association of
Machinists and
Aerospace Workers**



9000 Machinists Place
Upper Marlboro, Maryland 20772-2687

Area Code 301
967-4500



OFFICE OF THE INTERNATIONAL PRESIDENT

May 22, 2013

RE: Confirm Full NLRB Now!

Dear Representative,

On behalf of the International Association of Machinists and Aerospace Workers, we respectfully urge you to sign on to the Dear Colleague letter being circulated by Congresswoman Linda T. Sanchez (D-CA) and Congressman Joe Courtney (D-CT) to Senator Mitch McConnell seeking the swift consideration of the presidential appointments to the National Labor Relations Board ("NLRB"). At present, two of the five seats on the Board are vacant and the term of one of the three current Board members, Chairman Mark Pearce, will expire in August 2013. Without action by the Senate, the Board will soon be left without the quorum of at least three members that is required in order for the Board to function.

Working people need and deserve a confirmed NLRB now. The Senate must act promptly to confirm the nominations. This will remove any doubt about the Board's authority to act and restore stability to our system of labor-management relations. To sign the letter below, please contact Tim Del Monico in Congresswoman's Sanchez office (tim.delmonico@mail.house.gov) or (202) 225-6676.

If you have any questions, contact Legislative Director Hasan Solomon at (301) 967-4575 or hsolomon@iamaw.org.

Sincerely,

R. Thomas Buffenbarger
International President

//attachment

Senator Mitch McConnell
317 Russell Senate Office Building,
Washington, DC 20510

Dear Senator McConnell:

We are writing to express our serious concern over recent press reports detailing your position regarding the National Labor Relations Board (NLRB). Specifically, your office stated that the Senate will not vote on the full package of Board nominees unless current Board members Ms. Sharon Block and Mr. Richard Griffin are replaced. This is nothing more than a blatant and cynical attempt to shut down the NLRB's lawful ability to investigate and remedy unfair labor practices.

As you are well aware, the United States Court of Appeals for the District of Columbia Circuit (DC Circuit), *Noel Canning v. NLRB*, decision to invalidate the President Obama's recess appointments of Ms. Block and Mr. Griffin is not the final legal say on the matter. Therefore, their current nominations should not be disqualified. The President has asked the Supreme Court to review the decision, and there is pending litigation in at least five other district courts. Demanding the resignation of Ms. Block and Mr. Griffin is counterproductive and ignores both legal process and precedent.

At the moment, only three members are sitting on the NLRB, with one member's term due to expire in August. As a result, the Board is at risk of being unable to function. Furthermore, employers are already using the *Noel Canning* decision to challenge the NLRB's decisions and the DC Circuit Court is putting these cases on hold, leaving workers without remedy when they are illegally fired or when their employer refuses to negotiate in good faith.

These delays and the uncertainty that they cause have real world consequences for American workers. For example, Marcus Hedger from Illinois has lost his family home while waiting for a final decision on his illegal firing¹. In September 2012 a unanimous bipartisan panel of the NLRB determined in that Mr. Hedger was terminated as a result of union activity and ordered that he be reinstated with back pay. However, the company appealed that decision to the DC Circuit Court. In January, the case was delayed due to the *Noel Canning* decision, leaving Mr. Hedger without any remedy. It has been several years since the situation began and he still is struggling for justice.

The NLRB provides critical protections to Americans workers and gives businesses much needed labor certainty. Each day that the Board sits idle is one in which workers' lawful rights are put at risk. This continued ideological obstructionism is denying hardworking Americans the crucial worker protections that the NLRB provides. We urge you to withdraw this partisan demand and allow the Senate to fulfill its constitutional responsibility to consider presidential appointments, and to do so without continued delay.

¹ www.nlr.gov/case/13-CA-046331

Sincerely,

Linda T Sánchez
Member of Congress

Member of Congress

Member of Congress

Member of Congress

Joe Courtney
Member of Congress

Member of Congress

Member of Congress

Member of Congress