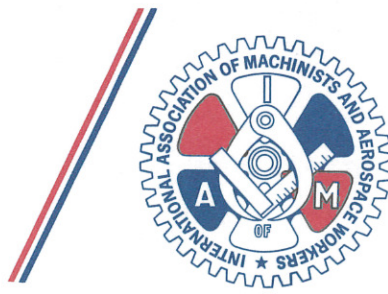


**International  
Association of  
Machinists and  
Aerospace Workers**



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Upper Marlboro, Maryland 20772-2687

Area Code 301  
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OFFICE OF THE INTERNATIONAL PRESIDENT

February 20, 2015

Re: Vote "NO" on Disapproval of  
New NLRB Election Rules

Dear Senator:

**The International Association of Machinists and Aerospace Workers ("IAM") is strongly opposed to the resolution of disapproval of the National Labor Relations Board's new election rules (S. J. Res 8), and we respectfully urge you to vote against the resolution.** The resolution is based on a misuse of the Congressional Review Act ("CRA"), and is an attempt to improperly undermine the NLRB's expertise in amending election procedures to assure workers of their statutory rights to a fair and timely election.

The NLRB's election rules represent the Board's attempt to modernize NLRB election procedures, reduce unnecessary litigation and delay in the election process. By making changes to the rules based on its assessment of how the current election rules are working and how they are not, the Board benefits employers, workers, and unions. Nor could there be any objection to the Board's procedures in making needed changes to the rules: The NLRB engaged in a lengthy and comprehensive public comment process in developing the rules. The NLRB's election rules should not be controversial.

Worse still, the resolution also purports to prohibit the NLRB from adopting another rule in "substantially the same form" unless specifically authorized by Congress. In other words, the Board's current flawed election procedures would be forever frozen in place, and the Board would be prohibited from adopting rules to utilize new technology, or modernize its procedures. Congress should leave to the expert agency it created the authority to determine such questions as the appropriate use of electronic voting, or rules to safeguard ballot secrecy. We are aware of no other government agency that has to seek Congress' permission before modernizing its rules for voting that takes place under its jurisdiction.

Opponents of the NLRB's election rules contend that the rules are designed to tip the scales towards unions by rushing union elections in as little as 10 days and depriving employers of the ability to communicate to their employees their views about unionization. These claims are made up out of thin air. The rules do not establish a set time period for elections and under the new rules it is in fact not possible to hold an election in 10 days, at least unless both the employer and the union agreed on that timeframe. And nothing in the rules deprives employers of the ability to talk with their employees about unionization.

It is almost universally acknowledged that the current rules have been abused and lead to unnecessary delay and litigation, stacking the deck unfairly against workers who want to unionize. Fixing this problem is squarely within the NLRB's jurisdiction, and the Congress, having created an expert administrative agency to manage just this kind of problem, should stay out of this issue.

For these reasons, the IAM strongly urges you to oppose S. J. Res 8.

Sincerely,

R. Thomas Buffenbarger  
International President