

## U.S. Congressman Reintroduces “Secret Ballot Protection Act”

June 28, 2013 | | [Unions And Union Membership](#), [Labor And Employment](#)

On June 13, 2013, in reaction to continued interest in the so-called Employee Free Choice Act (EFCA), which would impose mandatory card check certification for union organizing efforts, United States Congressman Phil Roe, Chairman of the Health, Employment, Labor, and Pensions Subcommittee of the House of Representatives, introduced the Secret Ballot Protection Act, H.R. 2346. H.R. 2346 would:

1. Require a secret ballot election before a union can be certified or decertified, eliminating once and for all the threats posed by the card check scheme;
2. Prevent employers from bargaining with any union that has not been certified by a secret ballot election; and
3. Prohibit union bosses from negotiating with an employer before they have been certified by a secret ballot election.

Senator Roe's press release can be [found here](#) .

That same week, U.S. Senator Johnny Isakson, the ranking Republican on the Health, Education, Labor and Pensions Committee's Subcommittee on Employment and Workplace Safety, and U.S. Congressman Tom Price reintroduced the Representation and Fairness Restoration Act to their respective houses of congress. That legislation seeks to “reverse the National Labor Relations Board's 2011 decision [*Specialty Healthcare*] allowing as few as two or three employees to form micro bargaining units, or “micro unions,” to engage in collective bargaining with employers.”

The Representation and Fairness Restoration Act is supported by 12 U.S. Senators. Senator Isakson's press release can be [found here](#) .

### RELATED PRACTICE AREAS

Collective Bargaining  
Labor and Employment  
Labor Relations  
Union Avoidance