



## Buckle Up, Employers: PRO Act Passes The House

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As we previously reported, [the Protecting the Right to Organize Act](#) (PRO Act) has been a hot topic for the Biden administration and top legislative priority for organized labor. The PRO Act was originally passed by House of Representatives in February 2020, but the then Republican-controlled Senate failed to take any action.

Under President Biden's administration, the PRO Act is front and center once again. On March 9, 2021, the [House again passed the PRO Act](#) by a vote of 225-206, largely along party lines. It faces an uphill battle in the 50/50 split Senate, though, as filibuster rules require 60 votes to end debate on a bill and bring it to a vote. President Biden has voiced strong support for the bill, and [released a statement](#) urging Congress to send the PRO Act to his desk.

The PRO Act would be the most significant piece of labor legislation since National Labor Relations Act of 1935, overhauling much of the current labor law. If passed, the law would ban right-to-work laws that prohibit employers and unions from requiring employees to join a union as a condition of employment; ban employers from permanently replacing strikers; implement stricter tests for determining an individual's status as an independent contractor versus employee; and impose new civil penalties on employers for violations, including personal liability, amongst other dramatic changes.

While the legislation may die in the Senate as Republicans will likely filibuster it (although there is discussion on that [procedural safeguard going by the](#)

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wayside), unionized and non-unionized employers alike should remain alert for possible changes down the road and stay abreast of the Biden administration's pro-labor agenda. During his campaign, President Biden promised to be the country's "most pro-union president," and the PRO Act is likely just one of many attempts to deliver on that promise.