

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1341

To amend the National Labor Relations Act to repeal exclusive representation, to remove any requirement that individual employees join or pay dues or fees to labor organizations, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 1993

Mr. ARMEY introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To amend the National Labor Relations Act to repeal exclusive representation, to remove any requirement that individual employees join or pay dues or fees to labor organizations, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. AMENDMENTS TO THE NATIONAL LABOR RELA-**  
4        **TIONS ACT.**

5        (a) EMPLOYEE RIGHTS.—Section 7 of the National  
6        Labor Relations Act (29 U.S.C. 157) is amended by strik-  
7        ing “except to” and all that follows through “authorized  
8        in section 8(a)(3) of this title”.

1 (b) UNFAIR LABOR PRACTICE FOR EMPLOYER.—  
2 Paragraph (3) of section 8(a) of the National Labor Rela-  
3 tions Act (29 U.S.C. 158(a)) is amended by striking  
4 “: *Provided, That*” and all that follows through “retaining  
5 membership”.

6 (c) UNFAIR LABOR PRACTICE FOR LABOR ORGANI-  
7 ZATION.—Section 8(b) of the National Labor Relations  
8 Act (29 U.S.C. 158(b)) is amended—

9 (1) in paragraph (1)—

10 (A) by inserting “interfere with,” before  
11 “restrain”; and

12 (B) by inserting “(except that an employee  
13 can resign at any time effective immediately)”  
14 after “membership therein” in clause (A);

15 (2) in paragraph (2), by striking “or to dis-  
16 criminate” and all that follows through “retaining  
17 membership”;

18 (3) in paragraph (5)—

19 (A) by striking “covered by an agreement  
20 authorized under subsection (a)(3)”;

21 (B) by striking “becoming a member of”  
22 and inserting “being represented by”;

23 (C) by striking the period after “cir-  
24 cumstances”, and by inserting “to defray the

1 costs of collective bargaining under section  
2 8(d)” after “all the circumstances”; and

3 (D) by striking “In making such” and all  
4 that follows through “the employees affected”.

5 (d) EMPLOYEE REPRESENTATION.—Section 9 of the  
6 National Labor Relations Act (29 U.S.C. 159) is amend-  
7 ed—

8 (1) by amending subsection (a) to read as fol-  
9 lows:

10 “(a)(1) A representative designated or selected for  
11 the purposes of collective bargaining by the affirmative  
12 vote of a majority of all the employees in a unit appro-  
13 priate for such purposes shall be the only collective rep-  
14 resentative of employees in such unit for the purposes of  
15 collective bargaining in respect to rates of pay, wages,  
16 hours of employment, or other conditions of employment  
17 for employees who elect to work under the terms and con-  
18 ditions of a collective bargaining agreement negotiated by  
19 such collective representative.

20 “(2) A collective representative may represent only  
21 those employees who have affirmatively designated or se-  
22 lected such representation. Any employee designation or  
23 selection under this subsection shall be in writing, shall  
24 state in prominent type that such designation or selection  
25 is revocable at any time, shall be signed by the employee

1 and delivered to both the employer and the collective rep-  
2 resentative, and shall provide in prominent type that no  
3 financial obligation can be imposed on account of the col-  
4 lective representation of the employee after the date of any  
5 revocation of collective representation.

6       “(3) The terms and conditions of employment set out  
7 in any collective-bargaining agreement negotiated by a col-  
8 lective representative designated or selected under this  
9 subsection shall apply only to those employees who affirm-  
10 atively elect in writing to accept such terms and conditions  
11 of employment: *Provided*, That any individual employee or  
12 a group of employees who have elected to accept such  
13 terms and conditions of employment shall have the  
14 nonwaivable right at any time to present grievances to  
15 their employer and to have such grievances adjusted, with-  
16 out the intervention of the collective representative, as  
17 long as the adjustment is not inconsistent with the terms  
18 of the collective-bargaining agreement then in effect for  
19 that employee or group of employees: *Provided further*,  
20 That the collective representative of such employee or  
21 group of employees has been given an opportunity to be  
22 present at such adjustment. Individual employees who do  
23 not affirmatively elect in writing to accept the terms and  
24 conditions set out in a collective-bargaining agreement

- 1 may accept any other terms and conditions of employment
- 2 mutually acceptable to them and the employer.”; and
- 3 (2) by striking subsection (e).

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