

104TH CONGRESS
1ST SESSION

H. R. 743

To amend the National Labor Relations Act to allow labor management cooperative efforts that improve economic competitiveness in the United States to continue to thrive, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 1995

Mr. GUNDERSON (for himself, Mr. FAWELL, Mr. GOODLING, Mr. HOEKSTRA, Mr. PETRI, Mrs. ROUKEMA, Mr. BALLENGER, Mr. BARRETT of Nebraska, Mr. TALENT, Mr. CHRISTENSEN, Mr. EMERSON, Mr. BEREUTER, Mr. BOEHNER, Mr. HOKE, Mr. LINDER, Mr. PORTER, Mr. PORTMAN, Mr. STENHOLM, and Mr. HAYES) introduced the following bill; which was referred to the Committee on Economic and Educational Opportunities

A BILL

To amend the National Labor Relations Act to allow labor management cooperative efforts that improve economic competitiveness in the United States to continue to thrive, 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. SHORT TITLE.**

4 This Act may be cited as the “Teamwork for Employ-
5 ees and Managers Act of 1995”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds that—

3 (1) the escalating demands of global competi-
4 tion have compelled an increasing number of employ-
5 ers in the United States to make dramatic changes
6 in workplace and employer-employee relationships;

7 (2) such changes involve an enhanced role for
8 the employee in workplace decisionmaking, often re-
9 ferred to as “Employee Involvement”, which has
10 taken many forms, including self-managed work
11 teams, quality-of-worklife, quality circles, and joint
12 labor-management committees;

13 (3) Employee Involvement programs, which op-
14 erate successfully in both unionized and
15 nonunionized settings, have been established by over
16 80 percent of the largest employers in the United
17 States and exist in an estimated 30,000 workplaces;

18 (4) in addition to enhancing the productivity
19 and competitiveness of businesses in the United
20 States, Employee Involvement programs have had a
21 positive impact on the lives of such employees, better
22 enabling them to reach their potential in work force;

23 (5) recognizing that foreign competitors have
24 successfully utilized Employee Involvement tech-
25 niques, the Congress has consistently joined busi-
26 ness, labor and academic leaders in encouraging and

1 recognizing successful Employee Involvement pro-
2 grams in the workplace through such incentives as
3 the Malcolm Baldrige National Quality Award;

4 (6) employers who have instituted legitimate
5 Employee Involvement programs have not done so to
6 interfere with the collective bargaining rights guar-
7 anteed by the labor laws, as was the case in the
8 1930's when employers established deceptive sham
9 "company unions" to avoid unionization; and

10 (7) Employee Involvement is currently threat-
11 ened by legal interpretations of the prohibition
12 against employer-dominated "company unions".

13 (b) PURPOSES.—The purpose of this Act is—

14 (1) to protect legitimate Employee Involvement
15 programs against governmental interference;

16 (2) to preserve existing protections against de-
17 ceptive, coercive employer practices; and

18 (3) to allow legitimate Employee Involvement
19 programs to continue to evolve and proliferate.

20 **SEC. 3. EMPLOYER EXCEPTION.**

21 Section 8(a)(2) of the National Labor Relations Act
22 is amended by striking the semicolon and inserting the
23 following: "": *Provided further*, That it shall not constitute
24 or be evidence of an unfair labor practice under this para-
25 graph for an employer to establish, assist, maintain, or

1 participate in any organization or entity of any kind, in
2 which employees participate, to address matters of mutual
3 interest, including issues of quality, productivity and effi-
4 ciency, and which does not have, claim, or seek authority
5 to negotiate or enter into collective bargaining agreements
6 with the employer or to amend existing collective bargain-
7 ing agreements between the employer and any labor
8 organization.”.

9 **SEC. 4. LIMITATION ON EFFECT OF ACT.**

10 Nothing in this Act shall affect employee rights and
11 responsibilities contained in provisions other than section
12 8(a)(2) of the National Labor Relations Act, as amended.

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