

104TH CONGRESS
2D SESSION

S. 1925

To amend the National Labor Relations Act to protect employer rights,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 28, 1996

Mr. GORTON (for himself, Mr. COATS, Mr. HATCH, Mr. FAIRCLOTH, Mr. WARNER, Mr. GREGG, Mr. FRIST, Mr. COCHRAN, Mr. LOTT, Mrs. KASSEBAUM, Mr. KYL, Mr. MACK, Mr. NICKLES, and Mr. PRESSLER) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To amend the National Labor Relations Act to protect
employer rights, 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 “Truth in Employment
5 Act of 1996”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) An atmosphere of trust and civility in labor-
2 management relationships is essential to a produc-
3 tive workplace and a healthy economy.

4 (2) The tactic of using professional union orga-
5 nizers and agents to infiltrate a targeted employer's
6 workplace (a practice commonly referred to as "salt-
7 ing") has evolved into an aggressive form of harass-
8 ment not contemplated when the National Labor Re-
9 lations Act was enacted and threatens the balance of
10 rights which is fundamental to the collective bar-
11 gaining system of the United States.

12 (3) Increasingly, union organizers are seeking
13 employment with nonunion employers not because of
14 a desire to work for such employers but primarily to
15 organize the employees of such employers or to in-
16 flict economic harm specifically designed to put non-
17 union competitors out of business.

18 (4) While no employer may discriminate against
19 employees based upon the views of the employees
20 concerning collective bargaining, an employer should
21 have the right to expect job applicants to be pri-
22 marily interested in utilizing the skills of the appli-
23 cants to further the goals of the business of the em-
24 ployer.

1 **SEC. 3. PURPOSES.**

2 The purposes of this Act are—

3 (1) to preserve the balance of rights between
4 employers, employees, and labor organizations which
5 is fundamental to our system of collective bargain-
6 ing;

7 (2) to preserve the rights of workers to orga-
8 nize, or otherwise engage in concerted activities pro-
9 tected under the National Labor Relations Act; and

10 (3) to alleviate pressure on employers to hire
11 individuals who seek or gain employment in order to
12 disrupt the workplace of the employer or otherwise
13 inflict economic harm designed to put the employer
14 out of business.

15 **SEC. 4. PROTECTION OF EMPLOYER RIGHTS.**

16 Section 8(a) of the National Labor Relations Act (29
17 U.S.C. 158(a)) is amended by adding at the end thereof
18 the following flush sentence:

19 “Nothing in this subsection shall be construed as requir-
20 ing an employer to employ any person whose primary pur-
21 pose is to represent a union in an organizational struggle.”

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