

107TH CONGRESS
1ST SESSION

H. R. 404

To amend the National Labor Relations Act to ensure that certain orders of the National Labor Relations Board are enforced to protect the rights of employees.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2001

Mr. ANDREWS introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the National Labor Relations Act to ensure that certain orders of the National Labor Relations Board are enforced to protect the rights of employees.

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 “National Labor Rela-
5 tions Board Ruling Enforcement Act of 2001”.

6 **SEC. 2. GOOD FAITH BARGAINING.**

7 Section 10 of the National Labor Relations Act (29
8 U.S.C. 160) is amended by adding at the end the fol-
9 lowing:

1 “(n) If the Board determines that an unlawful refusal
2 to bargain prior to entering into the first collective-bar-
3 gaining contract between the employer and the representa-
4 tive selected or designated by a majority of the employees
5 in the bargaining unit has taken place, the Board may
6 award to the employees in that unit compensation for the
7 delay in bargaining caused by the unfair labor practices.
8 Compensation for such delay shall be measured by the dif-
9 ference between (1) the wages and other benefits received
10 by such employees during the period of delay, and (2) the
11 wages and fringe benefits such employees were receiving
12 at the time of the unfair labor practices multiplied by the
13 percentage change in wages and other benefits stated in
14 the Bureau of Labor Statistics’ average wage and benefit
15 settlements, quarterly report of major collective-bar-
16 gaining settlements, for the quarter in which the delay
17 began. If the Secretary of Labor certifies to the Board
18 that the Bureau has, subsequent to the enactment of the
19 National Labor Relations Board Ruling Enforcement Act
20 of 2001, instituted regular issuance of a statistical com-
21 pilation of bargaining settlements which the Secretary de-
22 termines would better effectuate the purposes of this sub-
23 section than the compilation specified herein, the Board

- 1 shall, in administering this subsection, use the compilation
- 2 certified by the Secretary.”.

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