



RETAIL INDUSTRY LEADERS ASSOCIATION

99 M Street, SE
Suite 700
Washington, DC 20003

www.rila.org

June 21, 2023

The Honorable Bernie Sanders
Chairman
Committee on Health, Education,
Labor, and Pensions
U.S. Senate
Washington, DC 20510

The Honorable Bill Cassidy
Ranking Member
Committee on Health, Education
Labor, and Pensions
U.S. Senate
Washington, DC 20510

Dear Chair Sanders and Ranking Member Cassidy:

The Retail Industry Leaders Association (RILA) urges the Senate HELP Committee to reject S. 567, the Protecting the Right to Organize Act (PRO Act). In an attempt to rewrite the laws for organizing in the United States, the PRO Act would not only limit the rights of employers and workers but create substantial economic disruption by eliminating decades long legal and regulatory checks on abusive activities by union leaders. RILA strongly opposes this legislation.

RILA is the U.S. trade association for leading retailers. We convene decision-makers, advocate for the industry, and promote operational excellence and innovation. Our aim is to elevate a dynamic industry by transforming the environment in which retailers operate. RILA members include more than 200 retailers, product manufacturers, and service suppliers, which together account for more than \$1.5 trillion in annual sales, millions of American jobs, and more than 100,000 stores, manufacturing facilities, and distribution centers domestically and abroad.

Economic stability and prosperity are created by several factors— continued consumer demand and confidence, robust investment by businesses in labor and capital as well as legal certainty. Although on-going macro challenges remain such as high inflation, worker shortages, and supply chain disruptions at the ports, leading retailers are in a stronger position because each of these factors are working together. However, by repealing decades worth of legal precedent, the PRO Act would significantly undermine economic stability and prosperity by allowing illegal union tactics to reemerge.

Specifically, S. 567 seeks to repeal prohibitions on certain disruptive, and at times violent, union activities that created interstate economic havoc in the 1930's and 1940's – namely secondary boycott activities. In this era, unions sought to impose economic stress on specific companies by picketing neutral suppliers, vendors, and other third-party relationships.

For example, this bill allows union organizers to picket or even block shipments into a company by supplier companies or other business contractors. Over seventy years ago when Congress overwhelmingly passed the Taft-Hartley Act, lawmakers rightly outlawed certain kinds of intimidation involving union "threats," "coercion," and "restraints" against neutral employers.

These secondary activities are unduly burdensome not only to the neutral business but also to the broader interstate commerce of the United States. With historically high inflation and the ongoing labor threats throughout the supply chain, Congress should reject legislation that would further endanger the national economy.

Congress needs to keep these failed and outdated labor laws in the past because they impede innovation, disrupt communication between employers and employees, and stifle the flow of commerce. Leading retailers urge members of Congress to reject the PRO Act and instead work on building a 21st Century Workforce that has forward-thinking proposals that empower workers, promote innovation, and enable retailers to invest in their people and their communities. For more information, contact me at Evan.Armstrong@rila.org or visit <https://www.rila.org/focus-areas/human-resources/protecting-the-right-to-organize-act>

Sincerely,

A handwritten signature in black ink, appearing to read "Evan Armstrong".

Evan Armstrong

Vice President, Workforce Policy

Retail Industry Leaders Association

