



INTERNATIONAL FEDERATION OF PROFESSIONAL & TECHNICAL ENGINEERS AFL-CIO & CLC

501 3rd Street, NW, Suite 701, Washington, DC 20001
202-239-4880 • FAX 202-239-4881 • www.ifpte.org

PAUL SHEARON
President

MATTHEW S. BIGGS
Secretary-Treasurer

June 25, 2019

AREA VICE PRESIDENTS

Gerald Newsome
EXECUTIVE VICE PRESIDENT
ATLANTIC

Mazen Alsabe
NORTHEAST

Ronda Cockrell
SPEEA

Joel Funfar
SPEEA

Laurence Griffin
WESTERN

Gay Henson
EASTERN FEDERAL

Misty Hughes-Newman
CANADIAN

John Mader
WESTERN

Sean P. McBride
ATLANTIC

Ryan Rule
SPEEA

Dr. Leland S. Stone
WESTERN FEDERAL

Scott Travers
CANADIAN

Gustavo Vallejo
WESTERN

Tina Zellmer
MIDWESTERN

Hon. Mazie Hirono
United States Senate
713 Hart Senate Office Building
Washington, DC 20510

Hon. Matt Cartwright
U.S. House of Representatives
1034 Longworth House Office Building
Washington, DC 20515

Dear Senator Hirono & Representative Cartwright:

As the executive officers of the International Federation of Professional & Technical Engineers (IFPTE), representing upwards of 90,000 workers, including public sector workers in California, Connecticut, Illinois, New Jersey, and Rhode Island, we are writing regarding The Public Service Freedom to Negotiate Act of 2019. We applaud you for authoring this much-needed legislation, which comes one year after the 5-4 Supreme Court *Janus vs. AFSCME Council 31* ruling preventing public sector unions to collect representational fees from all represented members in a collective bargaining unit. IFPTE is pleased to endorse this legislation.

IFPTE is pleased that you have timed the introduction of this bill to coincide with the one-year anniversary of this draconian decision intended to gut the resources that unions like IFPTE collect to represent our members. While some States, such as New Jersey, California, Hawaii and elsewhere, have acted to become compliant with the decision without attempting to deny workers of their right to belong to a union, others have unfortunately taken the opportunity to either further public sector worker collective bargaining rights, or blocking them altogether. Of course, this is the exact consequence that the anti-union forces were seeking to accomplish in the wake of the Janus ruling, and is reflective of the need for your bill.

As it stands now, there is no federal law that protects the rights of state, county, and municipal government workers to belong to a union and collectively bargaining. Your bill will change this. If a State government refuses to guarantee union and collective bargaining rights, or frustrates the ability of workers to form and belong to a union, your legislation will empower the United States federal government to step in on behalf of workers. In particular, it will enable the Federal Labor Relations Authority (FLRA) to intervene and determine if public sector employers infringed on the rights of their employees. Specifically, the bill will:

- Allow for union dues deduction for members of a collective bargaining unit;
- Outlaws the 'free rider' Janus decision allowing workers in a collective bargaining unit to enjoy the benefits negotiated by the union without paying union dues;
- Give workers the right to organize and join unions in public sector workplaces, and collectively bargain over wages, benefits and working conditions;

- Continued -

- Ensure for employer recognition of the union following a vote in favor of union representation by members of a collective bargaining unit;
- Establish an impartial process for resolving impasses between the union and the employer;
- Provide for payroll deduction for union dues;
- Prevent mandated and/or employer forced recertification union elections.

It is important to note that this bill will only affect those rogue State governments that elect to deny their workers the ability independently decide whether they want union representation, and the ability properly represent their members after a positive vote for a union. This bill does not deny States the ability to create their own collective bargaining laws that respect employee democracy and due process. Rather, it will only apply to those that partially or completely deny workers of their rights.

IFPTE is particularly happy with the enforcement mechanisms provided for in the legislation. We are pleased with the provision that allows for a private right of action to force compliance in the federal courts absent the FLRA filing suit. Equally important is the language that mandates swift employer recognition of the union following a vote by employees to form a union, as well as binding first contract arbitration of no agreement is reached during the inaugural negotiation between the union and the employer. This is critical to ensure that employers will simply refuse to negotiate in good faith in the hopes that workers will eventually just ‘give up’ and decertify their union.

We thank you again for introducing The Public Service Freedom to Negotiate Act of 2019 and encourage all Senators and Representatives to cosponsor it.

Sincerely,



Paul Shearon
President



Matthew Biggs
Secretary-Treasurer/
Legislative Director