

**Calendar No. 411**112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 3221**

To amend the National Labor Relations Act to permit employers to pay higher wages to their employees.

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## IN THE SENATE OF THE UNITED STATES

MAY 22, 2012

Mr. RUBIO (for himself, Mr. ENZI, Mr. DEMINT, Mr. RISCH, Mr. THUNE, Mr. LEE, Mr. VITTER, Mr. HATCH, Mr. ISAKSON, Mr. COBURN, and Mr. McCONNELL) introduced the following bill; which was read the first time

MAY 23, 2012

Read the second time and placed on the calendar

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**A BILL**

To amend the National Labor Relations Act to permit employers to pay higher wages to their 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 “Rewarding Achieve-  
5 ment and Incentivizing Successful Employees Act” or the  
6 “RAISE Act”.

1 **SEC. 2. PAYMENT OF HIGHER WAGES.**

2 Section 9(a) of the National Labor Relations Act (29  
3 U.S.C. 159(a)) is amended—

4 (1) by inserting “(1)” after “(a)”; and

5 (2) by adding at the end the following:

6 “(2) Notwithstanding a labor organization’s exclusive  
7 representation of employees in a unit, or the terms and  
8 conditions of any collective bargaining contract or agree-  
9 ment then in effect, nothing in either—

10 “(A) section 8(a)(1) or section 8(a)(5), or

11 “(B) a collective bargaining contract or agree-  
12 ment renewed or entered into after the date of en-  
13 actment of the RAISE Act,

14 shall prohibit an employer from paying an employee in the  
15 unit greater wages, pay, or other compensation for, or by  
16 reason of, his or her services as an employee of such em-  
17 ployer, than provided for in such contract or agreement.”.



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