

105TH CONGRESS
1ST SESSION

H. R. 1595

To amend the National Labor Relations Act to determine the appropriateness of certain bargaining units in the absence of a stipulation or consent.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 1997

Mr. FAWELL 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 determine the appropriateness of certain bargaining units in the absence of a stipulation or consent.

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 “Fair Hearing Act”.

5 **SEC. 2. REPRESENTATIVES AND ELECTIONS.**

6 Section 9(c) of the National Labor Relations Act (29
7 U.S.C. 159(c)) is amended by adding at the end the fol-
8 lowing:

9 “(6) If a petition for an election requests the Board
10 to certify a unit which includes the employees employed

1 at one or more facilities of a multi-facility employer, and
2 in the absence of an agreement by the parties (stipulation
3 for certification upon consent election or agreement for
4 consent election) regarding the appropriateness of the bar-
5 gaining unit at issue for purposes of subsection (b), the
6 Board shall provide for a hearing upon due notice to deter-
7 mine the appropriateness of the bargaining unit. The
8 Board shall consider factors, including functional integra-
9 tion, centralized control, common skills, functions and
10 working conditions, permanent and temporary employee
11 interchange, geographical separation, local autonomy, the
12 number of employees, bargaining history, and such other
13 factors as the Board considers appropriate.

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