

105TH CONGRESS
1ST SESSION

H. R. 634

To amend the National Labor Relations Act to allow labor management cooperative efforts that improve economic competitiveness in the United States to continue to thrive, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 1997

Mr. FAWELL (for himself, Mr. GOODLING, Mr. STENHOLM, Mr. DOOLEY of California, Mr. HOEKSTRA, and Mr. HALL of Texas) 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 allow labor management cooperative efforts that improve economic competitiveness in the United States to continue to thrive, and for other purposes.

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 “Teamwork for Employ-
5 ees and Managers Act of 1997”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

1 (1) the escalating demands of global competi-
2 tion have compelled an increasing number of employ-
3 ers in the United States to make dramatic changes
4 in workplace and employer-employee relationships;

5 (2) such changes involve an enhanced role for
6 the employee in workplace decisionmaking, often re-
7 ferred to as “Employee Involvement”, which has
8 taken many forms, including self-managed work
9 teams, quality-of-worklife, quality circles, and joint
10 labor-management committees;

11 (3) Employee Involvement programs, which op-
12 erate successfully in both unionized and nonunion-
13 ized settings, have been established by over 80 per-
14 cent of the largest employers in the United States
15 and exist in an estimated 30,000 workplaces;

16 (4) in addition to enhancing the productivity
17 and competitiveness of businesses in the United
18 States, Employee Involvement programs have had a
19 positive impact on the lives of such employees, better
20 enabling them to reach their potential in the
21 workforce;

22 (5) recognizing that foreign competitors have
23 successfully utilized Employee Involvement tech-
24 niques, the Congress has consistently joined busi-
25 ness, labor and academic leaders in encouraging and

1 recognizing successful Employee Involvement pro-
2 grams in the workplace through such incentives as
3 the Malcolm Baldrige National Quality Award;

4 (6) employers who have instituted legitimate
5 Employee Involvement programs have not done so to
6 interfere with the collective bargaining rights guar-
7 anteed by the labor laws, as was the case in the
8 1930's when employers established deceptive sham
9 "company unions" to avoid unionization; and

10 (7) Employee Involvement is currently threat-
11 ened by legal interpretations of the prohibition
12 against employer-dominated "company unions".

13 (b) PURPOSES.—The purpose of this Act is—

14 (1) to protect legitimate Employee Involvement
15 programs against governmental interference;

16 (2) to preserve existing protections against de-
17 ceptive, coercive employer practices; and

18 (3) to allow legitimate Employee Involvement
19 programs, in which workers may discuss issues in-
20 volving terms and conditions of employment, to con-
21 tinue to evolve and proliferate.

22 **SEC. 3. EMPLOYER EXCEPTION.**

23 Section 8(a)(2) of the National Labor Relations Act
24 is amended by striking the semicolon and inserting the
25 following: “: *Provided further*, That it shall not constitute

1 or be evidence of an unfair labor practice under this para-
2 graph for an employer to establish, assist, maintain, or
3 participate in any organization or entity of any kind, in
4 which employees participate to at least the same extent
5 practicable as representatives of management participate,
6 to address matters of mutual interest, including, but not
7 limited to, issues of quality, productivity, efficiency, and
8 safety and health, and which does not have, claim, or seek
9 authority to be the exclusive bargaining representative of
10 the employees or to negotiate or enter into collective bar-
11 gaining agreements with the employer or to amend exist-
12 ing collective bargaining agreements between the employer
13 and any labor organization, except that in a case in which
14 a labor organization is the representative of such employ-
15 ees as provided in section 9(a), this proviso shall not
16 apply;”.

17 **SEC. 4. LIMITATION ON EFFECT OF ACT.**

18 Nothing in this Act shall affect employee rights and
19 responsibilities contained in provisions other than section
20 8(a)(2) of the National Labor Relations Act, as amended.

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