#### CP text: the US ought to pass the PRO act.

#### The problem with worker organization isn’t the right to strike- it’s companies taking deliberate anti-union action. Means the aff can never solve.

Heidi **Shierholz, 20** - ("Weakened labor movement leads to rising economic inequality," Economic Policy Institute, 1-27-2020, 11-4-2021https://www.epi.org/blog/weakened-labor-movement-leads-to-rising-economic-inequality/)//AW

The basic facts about inequality in the United States—that for most of the last 40 years, pay has stagnated for all but the highest paid workers and inequality has risen dramatically—are widely understood. What is less well-known is the role the decline of unionization has played in those trends. The share of workers covered by a collective bargaining agreement dropped from 27 percent to 11.6 percent between 1979 and 2019, meaning the union coverage rate is now less than half where it was 40 years ago. Research shows that this de-unionization accounts for a sizable share of the growth in inequality over that period—around 13–20 percent for women and 33–37 percent for men. Applying these shares to annual earnings data reveals that working people are now losing on the order of $200 billion per year as a result of the erosion of union coverage over the last four decades—with that money being redistributed upward, to the rich. The good news is that restoring union coverage—and strengthening workers’ abilities to join together to improve their wages and working conditions in other ways—is therefore likely to put at least $200 billion per year into the pockets of working people. These changes could happen through organizing and policy reform. Policymakers have introduced legislation, the Protecting the Right to Organize (PRO) Act, that would significantly reform current labor law. Building on the reforms in the PRO Act, the Clean Slate for Worker Power Project proposes further transformation of labor law, with innovative ideas to create balance in our economy. How is it that de-unionization has played such a large role in wage stagnation for working people and the rise of inequality? When workers are able to join together, form a union and collectively bargain, their pay goes up. On average, a worker covered by a union contract earns 13.2 percent more than a peer with similar education, occupation and experience in a non-unionized workplace in the same sector. Furthermore, the benefits of collective bargaining extend well beyond union workers. Where unions are strong, they essentially set broader standards that non-union employers must match in order to attract and retain the workers they need and to avoid facing an organizing drive. The combination of the direct effect of unions on their members and this “spillover” effect to non-union workers means unions are crucial in fostering a vibrant middle class—and has also meant that as unionization has eroded, pay for working people has stagnated and inequality has skyrocketed. Unions also help shrink racial wage gaps. For example, black workers are more likely than white workers to be represented by a union, and black workers who are in unions get a larger boost to wages from being in a union than white workers do. This means that the decline of unionization has played a significant role in the expansion of the black–white wage gap. But isn’t the erosion of unionization because workers don’t want unions anymore? No—survey data show that in fact, a higher share of non-union workers say they would vote for a union in their workplace today than did 40 years ago. Isn’t the erosion of unionization due to the shifts in employment from manufacturing to service-producing industries? No again—changing industry composition explains only a small share of the erosion of union coverage. What has caused declining unionization? One key factor is fierce corporate opposition that has smothered workers’ freedom to form unions. Aggressive anti-union campaigns—once confined to the most anti-union employers—have become widespread. For example, it is now standard, when workers seek to organize, for their employers to hire union avoidance consultants to coordinate fierce anti-union campaigns. We estimate that employers spend nearly $340 million per year hiring union avoidance advisers to help them prevent employees from organizing. And though the National Labor Relations Act (NLRA) makes it illegal for employers to intimidate, coerce or fire workers in retaliation for participating in union-organizing campaigns, the penalties are grossly insufficient to provide a meaningful disincentive for such behavior. This means employers often engage in illegal activities, such as threatening to close the worksite, cutting union activists’ hours or pay, or reporting workers to immigration enforcement authorities if employees unionize. In at least 1 in 5 union elections, employers are charged with illegally firing workers involved in organizing. In the face of these attacks on union organizing, policymakers have egregiously failed to update labor laws to balance the system. Fundamental reform is necessary to build worker power and guarantee all workers the right to come together and have a real voice in their workplace.

#### The PRO act solves way better than the aff by making it easier for workers to unionize.

 Celine **McNicholas and**Lynn **Rhinehart, 19** - ("The PRO Act: Giving workers more bargaining power on the job," Economic Policy Institute, 5-2-2019, 11-4-2021https://www.epi.org/blog/the-pro-act-giving-workers-more-bargaining-power-on-the-job/)//AW

Our economy is out of balance. Corporations and CEOs hold too much power and wealth, and working people know it. Workers are mobilizing, organizing, protesting, and striking at a level not seen in decades, and they are winning pay raises and other real change by using their collective voices. But, the fact is, it is still too difficult for working people to form a union at their workplace when they want to. The law gives employers too much power and puts too many roadblocks in the way of workers trying to organize with their co-workers. That’s why the Protecting the Right to Organize (PRO) Act—introduced today by Senator Murray and Representative Scott—is such an important piece of legislation. The PRO Act addresses several major problems with the current law and tries to give working people a fair shot when they try to join together with their coworkers to form a union and bargain for better wages, benefits, and conditions at their workplaces. Here’s how: Stronger and swifter remedies when employers interfere with workers’ rights. Under current law, there are no penalties on employers or compensatory damages for workers when employers illegally fire or retaliate against workers who are trying to form a union. As a result, employers routinely fire pro-union workers, because they know it will undermine the organizing campaign and they will face no real consequences. The PRO Act addresses this issue, instituting civil penalties for violations of the National Labor Relations Act (NLRA). Specifically, the legislation establishes compensatory damages for workers and penalties against employers (including penalties on officers and directors) when employers break the law and illegally fire or retaliate against workers. Importantly, these back pay and damages remedies apply to workers regardless of their immigration status. The PRO Act also requires the National Labor Relations Board (NLRB) to go to court and get an injunction to immediately reinstate workers if the NLRB believes the employer has illegally retaliated against workers for union activity. With this reform, workers won’t be out of a job and a paycheck while their case works its way through the system. Finally, the PRO Act adds a right for workers to go to court to seek relief, bringing labor law in line with other workplace laws that already contain this right. And, the legislation prohibits employers from forcing workers to waive their right to class or collective litigation. More freedom to organize without employer interference. The PRO Act streamlines the NLRB election process so workers can petition to form a union and get a timely vote without their employer interfering and delaying the vote. The act makes clear it is workers’ decision to file for a union election and that employers have no standing in the NLRB’s election process. It prohibits companies from forcing workers to attend mandatory anti-union meetings as a condition of continued employment. If the employer breaks the law or interferes with a fair election, the PRO Act empowers the NLRB to require the employer to bargain with the union if it had the support of a majority of workers prior to the election. And the PRO Act reinstates an Obama administration rule, which was repealed by the Trump administration, to require employers to disclose the names and payments they make to outside third-party union-busters that they hire to campaign against the union. Winning first contract agreements when workers organize and protecting fair share agreements. The law requires employers to bargain in good faith with the union chosen by their employees to reach a collective bargaining agreement—a contract—addressing wages, benefits, protections from sexual harassment, and other issues. But employers often drag out the bargaining process to avoid reaching an agreement. More than half of all workers who vote to form a union don’t have a collective bargaining agreement a year later. This creates a discouraging situation for workers and allows employers to foster a sense of futility in the process. The PRO Act establishes a process for reaching a first agreement when workers organize, utilizing mediation and then, if necessary, binding arbitration, to enable the parties to reach a first agreement. And the PRO Act overrides so-called “right-to-work” laws by establishing that employers and unions in all 50 states may agree upon a “fair share” clause requiring all workers who are covered by—and benefit from—the collective bargaining agreement to contribute a fair share fee towards the cost of bargaining and administering the agreement. Protecting strikes and other protest activity. When workers need economic leverage in bargaining, the law gives them the right to withhold their labor from their employer—to strike—as a means of putting economic pressure on the employer. But court decisions have dramatically undermined this right by allowing employers to “permanently replace” strikers—in other words, replace strikers with other workers so the strikers no longer have jobs. The law also prohibits boycotts of so-called “secondary” companies as a means of putting economic pressure on the workers’ employer, even if these companies hold real sway over the employer and could help settle the dispute. The PRO Act helps level the playing field for workers by repealing the prohibition on secondary boycotts and prohibiting employers from permanently replacing strikers. Organizing and bargaining rights for more workers. Too often, employers misclassify workers as independent contractors, who do not have the right to organize under the NLRA. Similarly, employers will misclassify workers as supervisors to deprive them of their NLRA rights. The PRO Act tightens the definitions of independent contractor and supervisor to crack down on misclassification and extend NLRA protections to more workers. And, the PRO Act makes clear that workers can have more than one employer, and that both employers need to engage in collective bargaining over the terms and conditions of employment that they control or influence. This provision is particularly important given the prevalence of contracting out and temporary work arrangements—workers need the ability to sit at the bargaining table with all the entities that control or influence their work lives. The PRO Act does not fix all the problems with our labor law, but it would address some fundamental problems and help make it more possible for workers to act on their federally-protected right to join together with their coworkers to bargain with their employer for improvements at their workplace. Research shows that workers want unions. There is a huge gap between the share of workers with union representation (11.9 percent) and the share of workers that would like to have a union and a voice on the job (48 percent). The PRO Act would take a major step forward in closing that gap.