



March 30, 2011

## Support Democratic Elections for Workers

Dear Representative:

The House will soon consider H.R. 658, the FAA Reauthorization and Reform Act of 2011. Rep. Steve LaTourette (R-OH) will offer an amendment to strike an undemocratic provision in the bill (Section 903) that strips workers in the rail and airline industries of their right to fair elections, by undoing the new National Mediation Board's (NMB) election rule. Rail and airline employees vote under this rule to determine union representation, allowing a majority of workers voting to decide the outcome. The rule is fair and democratic, and we ask you to vote for the LaTourette amendment to keep the current rule in place.

Before the new NMB rule was enacted, rail and airline workers who did not vote in a union election were automatically counted as "no" votes against the union – an absurd assumption considering reasons why a person may choose not to vote. No other election under any other labor law counts not voting as "no" votes. Democratic elections are determined by a majority of those voting. If our Congressional elections were held under those rules, half of your colleagues would never hold office.

The NMB's process to reform the election rule was legal, transparent and properly carried out. A Notice of Proposed Rulemaking (NPRM) was published on November 3, 2009 with a specific proposal and a detailed rationale, followed by a 60-day comment period. The NMB even held a public hearing where stakeholders were able to testify. The final rule, issued on May 11, 2010, was then challenged in court. The District Court upheld the rule, stating that the process was "adequate under the Administrative Procedures Act."

The NMB rule merely allows a voting democratic majority to determine the outcome in a union representational election. It's not anything out of the ordinary – it's simply democracy! Please support the LaTourette amendment.

Sincerely,

Freddie N. Simpson  
National Division President  
Maintenance of Way Employees

James P. Hoffa  
General President  
Teamsters Union

Dennis R. Pierce  
President, BLET  
IBT Rail Conference