



# The PRO Act harms businesses and workers.

## ISSUE BRIEF

The Protecting the Right to Organize (PRO) Act is a sweeping piece of legislation that would drastically rewrite current labor laws in favor of organized labor at the expense of retailers and their employees.

The PRO Act seeks to redefine fundamental labor relations policy by codifying radical proposals that have been rejected by the courts, the agencies charged with administering them and/or Congress. The PRO Act would have significant negative impacts on employers and employees alike.

For employers, the PRO Act would mean fewer due process rights during organizing campaigns, codification of the controversial *Browning Ferris* joint-employer standard and an end to critical “secondary boycott” protections that prevent a union from harassing neutral employers.

For employees, the bill would limit workers’ free choice in union elections, repeal right-to-work protections and eviscerate critical employee privacy rights. Individuals’ access to flexible work opportunities as independent contractors would be drastically reduced through permanent adoption of California’s controversial “ABC” test.

These provisions and the many other extreme provisions included in the bill overturn well-established law and put the interests of labor unions before the rights of employees and employers.

## IMPACT ON RETAILERS

Just about every aspect regarding how retailers maintain their workplaces would be affected by this radical legislation. Retailers would be dragged into every labor dispute involving their customers, vendors, landlords and tenants. Retailers’ facilities nationwide would be targeted for organization by labor unions; organization would occur even when a majority of employees opposed it. The franchise model would be abolished. The federal government would author binding first contracts between employers and employees, dictating the terms and conditions of employment at retailers’ facilities.

## HOW CONGRESS CAN HELP

The PRO Act would have devastating consequences for employees, employers and our economy. Congress must reject this misguided legislation. NRF instead urges Congress to foster sound employment policies that protect workers’ privacy rights, allow workers flexible job opportunities and grant employers the freedom to innovate.

**Learn more at: [nrf.com/no-on-pro](https://nrf.com/no-on-pro)**

### ABOUT NRF

The National Retail Federation provides a voice for every retailer. As the world’s largest retail trade association, we help unite 52 million working Americans around our common goal — empowering our industry.

**NRF is committed to the policies, ideas and people that help retail thrive.**