

STATEMENT OF GWYNNE A. WILCOX,  
NOMINEE FOR MEMBER, NATIONAL LABOR RELATIONS BOARD,  
BEFORE THE COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS OF  
THE UNITED STATES SENATE

JULY 15, 2021

Chairman Murray, Ranking Member Burr, and Members of the Committee, I thank you for the opportunity to appear before you today. I am honored and humbled to have been nominated by President Biden for consideration as a Member of the National Labor Relations Board as a result of my wealth of experience both inside and outside the NLRB. When I started working at the National Labor Relations Board as a Field Attorney over 38 years ago, I could not have imagined I would be considered for this highest honor, to serve on the National Labor Relations Board. I have also been informed that if I am confirmed, I will be making history as the first Black woman to serve as a Board Member. I do not take this history-making lightly nor the significance of serving on the National Labor Relations Board.

I believe that my personal and professional life experiences, which I will outline in a moment, have laid a strong foundation for my nomination.

I would like to begin by recognizing my family whose example, encouragement, strength and unwavering support have led me here today.

My brother, David Wilcox, and my sister, Dr. Susan Wilcox, who have joined me here today, are my rocks of support and their wisdom has been a steady guide to me over years. I am here today – being considered for this critically important position – because of our parents.

Dr. Katherine Knight Wilcox and Preston Wilcox, who are here with my siblings and me in spirit, are surely so proud of us and pleased at their own success in preparing us to lead our lives with compassion, meaning and purpose. They instilled in us a commitment to improve the lives of others pressed down by racial, economic and gender inequity. Our parents stood on the shoulders of their parents and other ancestors who did not have access to education, essential resources and any number of other opportunities, and therefore encouraged and enabled my siblings and me in word and deed.

Both of our parents were the first in their families to attend college and obtain graduate degrees. They met at City College of the City University of New York and married some time thereafter. Our mother was born in Richmond, Virginia, and lived in New York City from the age of 3 years. She was a stay-at-home mother for many years, then a public school teacher before becoming a college professor at Barnard College where she educated generations of student teachers and mentored many others in her position as a Dean of Students. After retiring from Barnard College, she returned to her *alma mater*, City College, to serve as a college administrator until retiring for good a few years later. Despite her years teaching at Barnard, our mother earned her Doctorate in Education toward the end of her career. Her personal story, her resilience and dedication, her advocacy for her children, family, friends and community, provided me and so many others with a proximate example of a strong Black woman possessed with immeasurable grace, wisdom and poise.

Our father was born in Youngstown, Ohio and eventually made his way to New York City after his military service. He earned a Masters in Social Work, and went on to teach new generations at his *alma mater*, Columbia University, at Lincoln University and other schools,

while also performing social work in the field. His parents were proud of their eldest son's educational achievements, his father, my grandfather, having only attained an elementary school education. But in a family history that brings me to where I am sitting today, our grandfather was able to support his family as a Union member working in the Youngstown steel mills. It is likely that our father drew from this example for he was a life-long community advocate working on behalf of parents and their children living in underserved areas while encouraging their school systems to make *Brown v. Board of Education* a tangible reality. A love of education and history permeated my father's life and he was committed to sharing the heritage and accomplishments of Black people in Harlem, New York, throughout the country and beyond.

This is the stock from which I come.

Upon graduating from a public high school in New York City, I chose to attend Syracuse University, recognized for its social work school, because I wanted to follow in my father's footsteps. My internship experiences, however, made me more aware of the critical needs of youth and elders, and those in between, and of the great need that they have for access to professional advocates. When I thought being a social worker was the right path for me, the internships opened my eyes to consider law school in order to have a broader impact upon the lives of many.

I attended Rutgers Law School in Newark, New Jersey with the goal that I would represent people living in poverty. From part-time to full-time work at Legal Services offices, including Hudson County Legal Services Office and Middlesex County Legal Services Office, I realized I enjoyed my work and also that, no matter what I accomplished for individual clients, I was not actually helping to get people out of poverty.

Having learned about the NLRB through a labor law course at Rutgers, I decided to apply for a position at Region 2 of the NLRB in Manhattan, New York, with the belief it would be an opportunity for me to learn about the National Labor Relations Act. In contrast to clients at the legal service offices where I had worked, employees subject to the National Labor Relations Act had the prospect for economic security as a result of it advancing collective bargaining between unions and employers and, at the same time, providing jobs with higher wages and increased benefits. In my new position, I handled cases that impacted the working and personal lives of employees and employers. I analyzed the National Labor Relations Act and applied it to the facts and circumstances of pending cases for over five years. I worked with dedicated colleagues and under the wonderful guidance and leadership of the supervisors and administrators. My years at the NLRB were memorable due to the important and impactful work of the agency and the dedicated Regional staff and supervisors with whom I worked assisting the resolution of disputes among employers, unions and workers.

After leaving the NLRB, I went to work at a union and employment law firm, in New York City, now known as Levy Ratner, PC. I am currently a senior partner and have been a partner for 25 years. At Levy Ratner, I had an even greater opportunity and privilege to engage with Union officers, staff and members in different industries and continued to handle and supervise NLRB cases over the next 32 years, in addition to being involved in collective bargaining, among many other responsibilities. The collective bargaining process came to life for me as I recognized that effective labor management relations is truly about relationships. Yes, it is about constantly resolving disputes, but at the core is the need to listen carefully with the objective of helping parties who may enter the process miles apart, learn to also listen and to compromise in order to address their mutual concerns.

Since 2000, I have engaged with union, management and NLRB staff and officials from across the country and developed collegial well-established relationships with my many colleagues. During my years at the firm, I became involved with a committee of the American Bar Association's Labor and Employment Law Section that focuses on the National Labor Relations Act and decisions of the NLRB.

Since 2012, I have been an Advisory Board member of the Scheinman Institute for Conflict Resolution of Cornell University's Industrial and Labor Relations School which has provided me an opportunity, like my parents before, to be an educator, my focus being on labor issues in the field of conflict resolution and engaging with neutrals, professors, and other union and management advocates.

I would also note that besides being a union lawyer I have worn a management hat when representing and defending a large union as an employer concerning issues relating to its 800-person staff. Additionally, in my capacity on some non-profit boards on which I have served, I have addressed employer issues.

My entire resume has led me to this confirmation hearing, but my volunteer public service as a representative to the New York City Office of Collective Bargaining, which is the agency for city employers and city unions to address their workplace disputes, has very particularly prepared me to join the National Labor Relations Board. As a labor representative, my responsibility has been to enforce a local law that is similar to the National Labor Relations Act. The labor representatives and city representatives to the New York City Office of Collective Bargaining serve as a model of effective labor relations. While we bring different experiences

and perspectives to the tasks at hand, our goal is to be similarly impartial by applying the law to the facts as I would do if I am confirmed to serve on the National Labor Relations Board.

I have given you some insight into my background, some of the influences and impacts of both my professional and personal life. But before I close, I want to recognize that in the past 18 months, we have lived under a pandemic that has taught us many things. By resolving workplace issues as they arose on a daily or moment-by-moment basis, employers, unions, workers, families and communities benefited. Enough cannot be said about the essential workers who have done monolithic work amid many personal sacrifices and the employers who provided support to their essential workers under difficult circumstances. Having the honor and privilege to represent essential workers in the healthcare industry in hospitals, nursing homes or home care, has given me yet more respect for their commitment to go to work everyday. Whether as a union member or in management, surrounded by mounting numbers of seriously ill and dying people, they were also faced with profound concerns about spreading the virus to their own families. The best of situations under this untenable moment were when management and the union worked together to resolve workplace and patient care issues - - the impact of which might literally save the lives of staff, their families and their patients in the multiple thousands. As we move forward with the worst of the pandemic behind us - - these lessons are ones I will remember.

In closing, my parentage and extensive experiences have prepared me to become a Member of the National Labor Relations Board and it would be an honor to return to this agency which has been so important to my evolution as a lawyer and to the lives of working people in this country.

Thank you for the opportunity to appear before you today and I look forward to your questions.