

STATEMENT OF JAMES MURPHY
NOMINEE FOR MEMBER, NATIONAL LABOR RELATIONS BOARD
BEFORE THE
COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS
OF THE UNITED STATES SENATE
OCTOBER 1, 2025

Chairman Cassidy, Ranking Member Sanders, and other Committee Members, thank you for the opportunity to testify today. It is an honor to be here, and it is an honor to have been nominated by President Trump for your consideration of my appointment to be a member of the National Labor Relations Board, the agency I worked for throughout my entire professional career.

With me today is Karen Murphy, my wife, partner, and best friend for over 53 years. Karen and I have 3 adult children, Sean, Colleen, and Brendan, as well as 4 grandchildren, Sterling, Tucker Maverick, and twins Aristan and Jamison. Sean is here today with 11-year-old Sterling and 8-year old Tucker Maverick, who are taking time off from school for a civics lesson.

I am a proud native of the State of Maryland, born in Annapolis and raised in the nearby riverside community of Severna Park. Karen and I were married during my senior year in college. We moved to Washington when I began law school at American University. We stayed in the city for 25 years, then moved back to Severna Park, where we have lived ever since.

Government service is a common feature of the Murphy family history. My great-grandfather Daniel Murphy, an Irish immigrant, worked as a laborer and mason on the Massachusetts state Hoosac Tunnel project in the mid-1800s. His youngest son, my grandfather Benjamin Murphy, was among the first employees working for the new Internal Revenue Service in 1917. Both of his sons served in the military during World War II. Daniel Murphy, my dad, was in an armored tank company in the Philippines in 1945. His brother and my namesake James Murphy became an army bomber co-pilot. His first and only combat mission was a bombing run to Germany in April 1945, only a couple of weeks before the war in Europe ended. Returning from that run, another bomber in the squadron collided with his. Both planes and all crew went down in the North Sea and were never found. Last, but certainly not least, my mother Elizabeth Crye Murphy was among the thousands of young women who came to Washington in the 1930s to work in the newly expanded federal government. In 1941, she went to Honolulu to work for a defense contractor. On December 7 of that year, she and her roommates heard the planes fly over and the bombs drop. Later, in 1944, she went overseas to work for the War Department, first in Algiers and then in Naples.

Given this history, a career in federal service may have been my inevitable fate. Whether fate or chance, I will always be thankful for the day late in my first year of law school when Board Member John Penello, a family friend and neighbor, called and asked if I would be interested in working on his staff as a summer intern. Doc (everyone called him Doc) was among the first employees of the NLRB, starting in 1937. I readily accepted his job offer in 1974 and continued to work on his staff on a part-time basis thereafter. When I graduated from law school in 1976, Doc hired me as a full-time staff attorney. He went into private practice in 1981. I continued to work on one Board staff or another, progressing from staff attorney to staff supervisor, to independent senior-counsel expert, and finally to staff chief counsel for a succession of Board Members from 2008 until I retired at the end of December 2021. Taken together, the period served by Member Penello and myself covers all but the most recent three and a half years of the NLRB's 90-year existence.

Throughout my 47 years of Board service, I was constantly impressed with the dedication, intelligence, and hard work of the employees I worked with, regardless of whether we agreed or disagreed on some policy issue. They and I shared a common goal of resolving the many unfair labor practice and representation cases before us as expeditiously as possible. That is, or should be, a nonpartisan goal. The public we serve should expect no less of the Board. Unfortunately, for various reasons, the Board has at times fallen far short of meeting that goal, with the result that employees, employers, and unions have in many instances had to wait years for final resolution of a case. By that time, the real resolution has been determined by the delay rather than the administrative decision finally announced. I take great pride in my leadership role over the years in attempting to address issues of delay and productivity, particularly during a case expediting initiative begun in September 2018. From that time until I retired at the end of 2021, the Board reduced both the number and median age of cases pending before the Board by more than 50 percent.

I have been quite content in retirement since 2021, spending more time with family (dog Hunter included) and travelling with Karen to places we have long wished to visit. Under different circumstances, I would have declined the invitation to pursue the unexpected possibility of returning to work as a Board Member. Frankly, an interest in addressing current policy issues, as important as those issues are, would not alone have drawn me back. My paramount concern, and the motivating reason for this undertaking, is the need to reinvigorate the prior expediting initiative in order to address a pending backlog that has increased since 2021. Fortunately, about ninety-five percent of cases that originate in the Board's regional offices are resolved without ever requiring resolution by Board members. That decisional process has remained operative, but it is of little solace to those who have brought their claims on appeal to Washington. If I am confirmed as a Board Member, I pledge to uphold the Act and give fair and impartial consideration to every case brought before us. In doing so, my overarching goal from day one to the final day of my term will be to redress the Board's current state of prolonged delay and low productivity. To do otherwise would, in my opinion, be a violation of my oath of office.

Thank you for the opportunity to offer these opening remarks. I welcome your questions.