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November 5, 2025

The Honorable Bill Cassidy
Chairman
Committee on Health, Education, Labor, &
Pensions
United States Senate
428 Senate Dirksen Office Building
Washington, D.C. 20510

The Honorable Bernie Sanders
Ranking Member
Committee on Health, Education, Labor, &
Pensions
United States Senate
428 Senate Dirksen Office Building
Washington, D.C. 20510

Dear Chairman Cassidy and Ranking Member Sanders:

On behalf of NFIB, the nation's leading small business advocacy organization, I write regarding the *Worker Reforming Elections for Speedy and Unimpeded Labor Talks (RESULTS) Act*, the *Fairness in Filing Act*, the *Union Members Right to Know Act*, the *Protection on the Picket Line Act*, and the *Worker Privacy Act*. These bills include numerous positive labor law reforms that will among other things protect small businesses from frivolous lawsuits, protect small business' right to a neutral employer-employee relationship, and protect workers from intimidation and coercion from unions.

First, NFIB supports the *Fairness in Filing Act*, which would protect small businesses from frivolous unfair labor practice lawsuits by requiring plaintiffs to provide evidence of an unfair labor practice when filing the claim against an employer. The legislation also establishes a monetary penalty for filing bad faith unfair labor practice lawsuits or engaging in the practice of filing frivolous lawsuits. The *Fairness in Filing Act* would protect small businesses from an onslaught of frivolous unfair labor practice lawsuits filed by unions or union representatives that are trying to organize the business. These lawsuits leave small businesses stuck with significant legal costs that they may not be able to afford. In some cases, small businesses who cannot afford legal representation have been forced to settle with the union, many times forcing unionization without a vote from their workers. In extreme cases frivolous unfair labor practice lawsuits have forced the closure of small businesses.

Second, NFIB supports the *Union Members Right to Know Act* which would require unions to seek upfront approval from workers to use union dues for political purposes, such as lobbying or campaign donations. Currently, America's largest unions use union dues to push legislation

in Washington, D.C. and across all 50 states that would be detrimental to small businesses and their workers, without approval from union members who may disagree with the policies. The *Union Members Right to Know Act* empowers workers to choose whether they support these policies and gives workers the right to not subsidize the lobbying and political decisions of union bosses in Washington D.C. that they disagree with. 93% of NFIB members believe employees should have to approve of the use of their union dues for political activities.¹

Third, NFIB is encouraged by the *Protection on the Picket Line Act* which would codify the Wright Line test which returns the National Labor Relations Board (NLRB) to an interpretation that allows employers to discipline employees who harass or discriminate against another employee no matter if there is an ongoing unionization process. In 2023, the NLRB's decision in *Lion Elastomers* protected harassing and discriminatory behavior in the workplace if it was during a unionization process.² The *Protection on the Picket Line Act* would correct this by allowing employers to maintain a neutral and safe workplace for their workers and shift the burden of proof away from employers.

NFIB is also encouraged by the *Worker Privacy Act* which would limit the amount of employee personal contact information small businesses are required to hand over to unions during unionization proceedings. This legislation is a step in the right direction but could be made stronger by eliminating the requirement that employers have to provide unions with the personal contact information of employees altogether. This would protect the employer-employee relationship while preventing workers' information being handed over to an outside party without their consent. 93% of NFIB members believe employers should not be required to provide the personal contact information of employees to union organizers.³

Lastly, NFIB is encouraged by some of the positive reforms included in the *Worker RESULTS Act*, including enshrining the right of workers to vote on whether or not to join a union via secret ballot election and creating a 2/3rd quorum requirement on union elections so a few disgruntled employees cannot dictate unionization on an entire business' workforce. 79% of NFIB members believe employers should not be required to recognize unions by way of signed authorization cards.⁴

¹ NFIB Member Ballot, Mandate, vol. 560, June 2011, *Should employees have to approve the use of their union dues for political activities?* (Yes: 93% No: 4% Undecided: 4%).

² Morgan Lewis, *NLRB Returns to Liberalized Section 7 Protection for Workplace Misconduct Incidents*, May 2023, <https://www.morganlewis.com/pubs/2023/05/nlr-returns-to-liberalized-section-7-protection-for-workplace-misconduct-incidents>.

³ NFIB Member Ballot, Mandate vol. 575, August 2019, *Should employers be required to provide the personal contact information of employees to union organizers?* (Yes: 2% No: 93% Undecided: 5%).

⁴ NFIB Member Ballot, Mandate vol. 554, *Should employers be required to recognize unions by way of signed authorization cards?* (Yes: 6% No: 79% Undecided: 15%).

NFIB appreciates your consideration on how these labor law proposals would affect small businesses and their workforce. We look forward to working with you on pro-small business labor reforms and to protect small businesses from frivolous lawsuits.

Sincerely,

A handwritten signature in black ink, appearing to read "Dylan Rosnick", is written over a light gray rectangular background.

Dylan Rosnick
Principal, Federal Government Relations
NFIB