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FOR IMMEDIATE RELEASE

WASHINGTON, D.C., July 10--- U.S. Sen. Bob Dole (R-Kans.) recently introduced two bills that would amend the National Labor Relations Act.

In a statement on the Senate floor, Dole said his legislation was needed because "over the years, the whole thrust of National Labor Relations Board (NLRB) decisions has been to promote the cause of unions and unionism to the detriment and at the expense of the rights of employees...."

The first bill would amend the Act's preamble to "stress that employees do have full freedom of choice as to whether they shall be represented by a union." Dole explained his measure would enunciate a Congressional declaration that "this freedom of choice belongs to employees, not to employers nor to unions, and certainly not to the NLRB."

Dole's second bill deals with the duty, under law, to bargain; clarifying the scope and substance of the statutory duty to bargain of all parties. "As it now stands," Dole said:

an employer commits an unfair labor practice if he refuses to confer in good faith with his employee's representative in respect to wages, hours and other terms and conditions of employment or negotiation of an agreement. This is as it should be.

But the NLRB has gone far beyond the expressed authority granted it by Congress in search of new bargaining requirements which substantially expand the obligations imposed on the parties and undermine the assumed finality of agreed-to contract terms.

The Kansas Senator said his bill would answer a number of NLRB decisions that "improperly and erroneously extend the board's activities" into the realm of public policy formulation. Dole stated a number of the "ventures into policy making" and explained how his bill would affect the NLRBs present actions:

* The NLRB, he pointed out, has increased its jurisdiction to such an extent that it covers such "basic management prerogatives" as the decision to close down an entire plant "in the interest of great efficiency." Dole's amendment to the Act provides that decisions in the "sole province of management" would not be subject to compulsory bargaining, although "the impact of such a decision on the employees in a bargaining unit be discussed between management and union."

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*The Taft-Hartley Act emphasized the duty to bargain "does not compel" either party to agree to a proposal advanced by the other, nor does it require either party to make a concession in bargain. Dole said the NLRB has developed a pattern of decisions that finds an employer guilty of an unfair labor practice if he does not agree or concede to the other's proposals. The Dole amendment "would declare once again that bargaining in good faith does not compel one party to abandon its own views."

*In a set of recent decisions, the NLRB "for all practical purposes," has made it compulsory for management to provide all information requested by a union. Dole noted this as "an interesting circumstance" in light of all the anxiousness about "infringements of the individual's right to privacy. The bill I propose would make clear that each party has the right to bargain about information it wants from the other, but neither has an absolute right to obtain it!"

Another aspect of the application of the National Labor Relations Act that Dole would modify is the NLRBs "notion that the duty to bargain has a continuous duration." On this practice, Dole commented, "It is hard to conceive of a practice more disruptive of labor-harmony, or better designed to undermine the stability of collective bargaining contracts."

The proposed amendment provides that neither party to a collective bargaining contract can be forced to bargain about a change or addition to a contract that would become effective prior to the time permitted by the terms of the contract itself.

Calling for "earliest possible consideration" for the bill, Dole commented that the duty to bargain is a "solemn obligation imposed by law upon employers and unions alike," but "it ought to be applied by the NLRB in an evenhanded, impartial manner."