



Written by [Peter Rykowski](#) on May 7, 2021

Congressional Democrats Push Radical Pro-union Bill

With the far-left making a [broad and coordinated](#) push to take total control over the United States, it is easy for certain radical bills to receive little attention amid the many [other policies](#) being advocated.

This happening right now. Among other examples, Democrats in Congress are seeking to pass legislation that, in addition to blatantly violating the [U.S. Constitution](#), would entrench the power of leftist-run labor unions over businesses and workers — including wiping out the states' various right-to-work laws — and further integrate the United States into a coming North American Union.



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[H.R. 842](#) and [S. 420](#) are titled the “Protecting the Right to Organize Act of 2021,” or PRO Act. They are sponsored by Representative Bobby Scott (D-Va.) and Senator Patty Murray (D-Wash.), respectively. The House bill has [213 co-sponsors](#) while the Senate version has [46 co-sponsors](#).

The U.S. House of Representatives [passed](#) H.R. 842 by a vote of [225-206](#) on March 9, 2021. The bill now goes to the U.S. Senate for consideration. Importantly, Senator Joe Manchin, considered a “moderate” or “centrist,” has [endorsed](#) the bill’s enactment, something the organization [Democratic Socialists of America](#) (DSA) — America’s largest Marxist organization — [claimed responsibility](#) for.

Bill Provisions

The PRO Act contains multiple unconstitutional and anti-enterprise provisions that would entrench already-powerful labor unions. For example, the bill would [override](#) state “right-to-work laws, which allow workers to choose whether to join a union. Not only does this violate workers’ freedom of association, but the [10th Amendment](#) prohibits the federal government from overriding state law in this manner.

Additionally, if passed, the PRO Act would allow the National Labor Relations Board (NLRB) to [override votes](#) on whether to create a union at a workplace. Even if employees decisively vote against creating a union, the NLRB could ignore the vote and create the union anyway.

The PRO Act would [redefine](#) the legal meaning of an “independent contractor,” significantly narrowing the term’s definition. This could place [tens of millions](#) of independent contractors under the National Labor Relations Act, [prohibiting](#) them from working in those jobs without their employers hiring them full-time. Not only is this another unconstitutional federal overreach into the economy, but it could lead to the loss of millions of jobs.

Among [other provisions](#), the PRO Act would make it illegal for employers to permanently replace workers who go on strike, give union bosses power to retaliate against companies that pay their employees based on merit, and reinstate several Obama administration regulations that favored unions. The bill also allows labor unions to [encourage illegal aliens](#) to join, and House Democrats defeated a



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motion to prohibit this.

Unconstitutional, Globalist-harmonization Bill

As already mentioned above, the PRO Act is blatantly unconstitutional, giving the federal government a disturbingly large amount of power over the economy, employers, and workers.

Nowhere does the U.S. Constitution give the federal government any authority to regulate employers, workers, or any other portion of the economy. Nor does it have authority to override state laws on these matters. The 10th Amendment guarantees that the states and the people have authority over these matters.

This unconstitutional usurpation has actually existed since the enactment of the 1935 National Labor Relations Act, which “gave” the federal government the powers that the PRO Act would now apply. If Congress chose to follow the Constitution, it would have to repeal the 1935 law in addition to stopping the PRO Act’s enactment.

The PRO Act is also connected to the campaign to destroy U.S. sovereignty through international merger. For example, Article 23.3 of the United States-Mexico-Canada Agreement (USMCA) [requires](#) member countries to recognize collective bargaining, something that could outlaw right-to-work laws if fully enforced. The PRO Act would, thus, be a way to comply with the international trade agreement.

Not only has the U.S. Congress [previously](#) changed domestic laws to better align them with international agreements, but [Mexico enacted](#) a major collective-bargaining bill to comply with the USMCA. This threat to U.S. sovereignty is not merely hypothetical. If passed, the PRO Act would be major step in harmonizing U.S. labor laws with those of Mexico and Canada — neither of which have right-to-work laws.

Congress would be wise to reject the PRO Act, along with repealing the underlying 1935 National Labor Relations Act. Rather than enacting radical bills such as these, it should support legislation that upholds the U.S. Constitution.

To urge your U.S. senators to reject the radical and unconstitutional PRO Act, visit The John Birch Society’s legislative alert [here](#).



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