



Jay Timmons
Executive Vice President

January 25, 2010

The Honorable Tom Harkin
Chairman
Senate Committee on Health, Education,
Labor and Pensions
United States Senate
Washington, DC 20510

Dear Chairman Harkin:

The National Association of Manufacturers (NAM), the nation's largest industrial trade association representing manufacturers of all sizes and industry sectors, urges you to oppose the re-nomination of Craig Becker to serve as a member of the National Labor Relations Board (NLRB).

We continue to have strong concerns that Mr. Becker's views and interpretation of our labor law system would radically change the nature of the NLRB. We are particularly concerned with his opinions offered in academic journals that the NLRB should limit the ability of employers to communicate with their employees during union organizing campaigns.¹ Mr. Becker's writings express an interest in limiting the amount of time employees have to make the important decision whether or not to join a labor union. The NAM firmly believes employees should have access to information from both employers and union officials and the ability to carefully review that information in order to better make important decisions that impact their jobs and families.

Mr. Becker's views indicate that he believes the NLRB has the authority to make certain decisions that are pending in proposed legislation. Such positions include redefining the supervisory status of frontline supervisors in order to place such employees into labor union bargaining units with other eligible employees.² Mr. Becker has written extensively and positively about how the NLRB could rewrite current union election rules in favor of union organizers, a decision that should be left to Congress. We are particularly concerned that if confirmed, Mr. Becker would seek to advance aspects of the jobs-killing Employee Free Choice Act through actions of the NLRB.³

Members of the NLRB should express a commitment to principles of fairness and balance that are the foundation of our labor laws. Mr. Becker's radical interpretation of these laws is not appropriate for members of the Board, who are charged with administering our nation's labor laws in an unbiased manner.

The NAM previously requested that the Senate Health, Education, Labor and Pensions (HELP) Committee hold a formal confirmation hearing to further explore Mr. Becker's

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1331 Pennsylvania Avenue, NW • Washington, DC 20004-1790 • (202) 637-3043 • Fax (202) 637-3182 • www.nam.org

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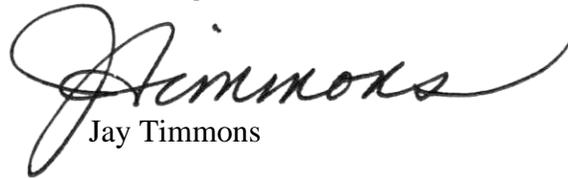
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positions. Unfortunately Mr. Becker's nomination has again been sent to the Senate for approval, without addressing our longstanding concerns. As a result, we urge you to oppose the nomination of Craig Becker to serve as a member of the NLRB.

On behalf of manufacturers in the United States, we appreciate your consideration of our request. We look forward to working with you on our shared goals for a strong economy, job creation in the United States and promoting fair and balanced labor laws.

With all best wishes, I remain,

Sincerely,

A handwritten signature in black ink that reads "Timmons". The signature is fluid and cursive, with a large initial "T".

Jay Timmons

JT/ks

¹ Becker, *Democracy in the Workplace: Union Representation Elections and Federal Labor Law*, Minnesota Law Review, 77 MNLR 495, 586, February 1993.

² Becker and Orantes Ceresi, *Toward a Rational Interpretation of the Term 'Supervisor' After Kentucky River*, Labor Lawyer, 18 LABLAW 285, Winter/Spring 2003.

³ Mark Schoeff Jr., *NLRB Decisions Could Make Card Check a Reality*, Workforce Magazine Online, July 2009.