

## S 560

Employee Free Choice Act of 2009

**Congress:** 111 (2009–2011, Ended)

**Chamber:** Senate

**Policy Area:** Labor and Employment

**Introduced:** Mar 10, 2009

**Current Status:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

**Latest Action:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Mar 10, 2009)

**Official Text:** <https://www.congress.gov/bill/111th-congress/senate-bill/560>

### Sponsor

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**Name:** Sen. Kennedy, Edward M. [D-MA]

**Party:** Democratic • **State:** MA • **Chamber:** Senate

**Cosponsors** (40 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Akaka, Daniel K. [D-HI]	D · HI		Mar 10, 2009
Sen. Begich, Mark [D-AK]	D · AK		Mar 10, 2009
Sen. Boxer, Barbara [D-CA]	D · CA		Mar 10, 2009
Sen. Brown, Sherrod [D-OH]	D · OH		Mar 10, 2009
Sen. Burris, Roland [D-IL]	D · IL		Mar 10, 2009
Sen. Byrd, Robert C. [D-WV]	D · WV		Mar 10, 2009
Sen. Cantwell, Maria [D-WA]	D · WA		Mar 10, 2009
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Mar 10, 2009
Sen. Carper, Thomas R. [D-DE]	D · DE		Mar 10, 2009
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Mar 10, 2009
Sen. Dodd, Christopher J. [D-CT]	D · CT		Mar 10, 2009
Sen. Durbin, Richard J. [D-IL]	D · IL		Mar 10, 2009
Sen. Feingold, Russell D. [D-WI]	D · WI		Mar 10, 2009
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Mar 10, 2009
Sen. Harkin, Tom [D-IA]	D · IA		Mar 10, 2009
Sen. Inouye, Daniel K. [D-HI]	D · HI		Mar 10, 2009
Sen. Johnson, Tim [D-SD]	D · SD		Mar 10, 2009
Sen. Kaufman, Edward E. [D-DE]	D · DE		Mar 10, 2009
Sen. Kerry, John F. [D-MA]	D · MA		Mar 10, 2009
Sen. Klobuchar, Amy [D-MN]	D · MN		Mar 10, 2009
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Mar 10, 2009
Sen. Leahy, Patrick J. [D-VT]	D · VT		Mar 10, 2009
Sen. Levin, Carl [D-MI]	D · MI		Mar 10, 2009
Sen. Lieberman, Joseph I. [ID-CT]	ID · CT		Mar 10, 2009
Sen. Menendez, Robert [D-NJ]	D · NJ		Mar 10, 2009
Sen. Merkley, Jeff [D-OR]	D · OR		Mar 10, 2009
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Mar 10, 2009
Sen. Murray, Patty [D-WA]	D · WA		Mar 10, 2009
Sen. Nelson, Bill [D-FL]	D · FL		Mar 10, 2009
Sen. Reed, Jack [D-RI]	D · RI		Mar 10, 2009
Sen. Reid, Harry [D-NV]	D · NV		Mar 10, 2009
Sen. Rockefeller, John D., IV [D-WV]	D · WV		Mar 10, 2009
Sen. Sanders, Bernard [I-VT]	I · VT		Mar 10, 2009
Sen. Schumer, Charles E. [D-NY]	D · NY		Mar 10, 2009
Sen. Shaheen, Jeanne [D-NH]	D · NH		Mar 10, 2009
Sen. Stabenow, Debbie [D-MI]	D · MI		Mar 10, 2009
Sen. Udall, Tom [D-NM]	D · NM		Mar 10, 2009
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Mar 10, 2009
Sen. Wyden, Ron [D-OR]	D · OR		Mar 10, 2009
Sen. Franken, Al [D-MN]	D · MN		Jul 7, 2009

## Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Mar 10, 2009

## Subjects & Policy Tags

### Policy Area:

Labor and Employment

## Related Bills

Bill	Relationship	Last Action
111 HR 1409	Identical bill	Apr 29, 2009: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

## Summary (as of Mar 10, 2009)

Employee Free Choice Act of 2009 - Amends the National Labor Relations Act to require the National Labor Relations Board (NLRB) to certify a bargaining representative without directing an election if a majority of the bargaining unit employees have authorized designation of the representative (card-check) and there is no other individual or labor organization currently certified or recognized as the exclusive representative of any of the employees in the unit.

Sets forth special procedural requirements for reaching an initial collective bargaining agreement following certification or recognition.

Revises enforcement requirements with respect to unfair labor practices during union organizing drives, particularly a preliminary investigation of an alleged unfair labor practice (ULP) which may lead to proceedings for injunctive relief.

Requires that priority be given to a preliminary investigation of any charge that, while employees were seeking representation by a labor organization, or during the period after a labor organization was recognized as a representative until the first collective bargaining contract is entered into, an employer: (1) discharged or otherwise discriminated against an employee to encourage or discourage membership in the labor organization; (2) threatened to discharge or to otherwise discriminate against an employee in order to interfere with, restrain, or coerce employees in the exercise of guaranteed self-organization or collective bargaining rights; or (3) engaged in any other related ULP that significantly interferes with, restrains, or coerces employees in the exercise of such guaranteed rights.

Adds to remedies for such violations: (1) back pay plus liquidated damages; and (2) additional civil penalties.

## Actions Timeline

- **Mar 10, 2009:** Introduced in Senate
- **Mar 10, 2009:** Sponsor introductory remarks on measure. (CR S2966-2967)
- **Mar 10, 2009:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.