

## S 1425

### Fair Representation in Elections Act of 2011

**Congress:** 112 (2011–2013, Ended)

**Chamber:** Senate

**Policy Area:** Labor and Employment

**Introduced:** Jul 27, 2011

**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. (Jul 27, 2011)

**Official Text:** <https://www.congress.gov/bill/112th-congress/senate-bill/1425>

### Sponsor

**Name:** Sen. DeMint, Jim [R-SC]

**Party:** Republican • **State:** SC • **Chamber:** Senate

### Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Coburn, Tom [R-OK]	R · OK		Jul 27, 2011
Sen. Graham, Lindsey [R-SC]	R · SC		Jul 27, 2011
Sen. Hatch, Orrin G. [R-UT]	R · UT		Jul 27, 2011
Sen. Risch, James E. [R-ID]	R · ID		Jul 27, 2011
Sen. Rubio, Marco [R-FL]	R · FL		Jul 27, 2011
Sen. Vitter, David [R-LA]	R · LA		Jul 27, 2011
Sen. Cornyn, John [R-TX]	R · TX		Sep 13, 2011
Sen. Alexander, Lamar [R-TN]	R · TN		Feb 27, 2012
Sen. Burr, Richard [R-NC]	R · NC		Mar 7, 2012

### Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Jul 27, 2011

### Subjects & Policy Tags

#### Policy Area:

Labor and Employment

### Related Bills

Bill	Relationship	Last Action
112 HR 2810	Related bill	<b>Aug 5, 2011:</b> Referred to the House Committee on Education and the Workforce.
112 S 1507	Related bill	<b>Aug 2, 2011:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Fair Representation in Elections Act of 2011 - Amends the National Labor Relations Act to require the National Labor Relations Board (NLRB) to decide, before the election of a labor organization as the exclusive collective bargaining representative of all employees of an appropriate unit, whether such unit shall be the employer unit, craft unit, plant unit, or subdivision unit.

Requires the NLRB to provide for a hearing upon 14 days advance notice in cases where it is investigating an election petition that gives it reasonable cause to believe that a question of representation affecting commerce exists.

Revises the requirement that the NLRB direct an election by secret ballot, and certify its results, whenever it finds upon the record of such a hearing that a question of representation exists. Adds a requirement that the NLRB also review all post-hearing appeals before finding that such a question exists.

Prohibits an election less than 40 calendar days following the filing of an election petition. Requires an employer to provide the NLRB a list of employee names and home addresses of all eligible voters within 7 days following the NLRB's determination of the appropriate unit or following any agreement between the employer and the labor organization regarding eligible voters.

Prohibits an election from taking place after the filing of a petition unless and until: (1) a hearing is conducted before a qualified hearing officer; and (2) the issues are resolved by a regional Director, subject to appeal and review, or by the NLRB.

Declares that election results shall not be final nor any labor organization be certified as the bargaining representative of the employees in an appropriate unit unless the NLRB has ruled on: (1) each pre-election issue not resolved before the election; and (2) the resolution, following a hearing, of each issue pertaining to the conduct or results of the election.

### **Actions Timeline**

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- **Jul 27, 2011:** Introduced in Senate
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