

## S 3889

Employee Rights Act

**Congress:** 117 (2021–2023, Ended)

**Chamber:** Senate

**Policy Area:** Labor and Employment

**Introduced:** Mar 22, 2022

**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 22, 2022)

**Official Text:** <https://www.congress.gov/bill/117th-congress/senate-bill/3889>

### Sponsor

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**Name:** Sen. Scott, Tim [R-SC]

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

## Cosponsors (28 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Barrasso, John [R-WY]	R · WY		Mar 22, 2022
Sen. Boozman, John [R-AR]	R · AR		Mar 22, 2022
Sen. Braun, Mike [R-IN]	R · IN		Mar 22, 2022
Sen. Burr, Richard [R-NC]	R · NC		Mar 22, 2022
Sen. Cassidy, Bill [R-LA]	R · LA		Mar 22, 2022
Sen. Cornyn, John [R-TX]	R · TX		Mar 22, 2022
Sen. Cotton, Tom [R-AR]	R · AR		Mar 22, 2022
Sen. Cramer, Kevin [R-ND]	R · ND		Mar 22, 2022
Sen. Crapo, Mike [R-ID]	R · ID		Mar 22, 2022
Sen. Daines, Steve [R-MT]	R · MT		Mar 22, 2022
Sen. Hagerty, Bill [R-TN]	R · TN		Mar 22, 2022
Sen. Hyde-Smith, Cindy [R-MS]	R · MS		Mar 22, 2022
Sen. Inhofe, James M. [R-OK]	R · OK		Mar 22, 2022
Sen. Johnson, Ron [R-WI]	R · WI		Mar 22, 2022
Sen. Lummis, Cynthia M. [R-WY]	R · WY		Mar 22, 2022
Sen. Marshall, Roger [R-KS]	R · KS		Mar 22, 2022
Sen. McConnell, Mitch [R-KY]	R · KY		Mar 22, 2022
Sen. Moran, Jerry [R-KS]	R · KS		Mar 22, 2022
Sen. Risch, James E. [R-ID]	R · ID		Mar 22, 2022
Sen. Romney, Mitt [R-UT]	R · UT		Mar 22, 2022
Sen. Thune, John [R-SD]	R · SD		Mar 22, 2022
Sen. Tillis, Thomas [R-NC]	R · NC		Mar 22, 2022
Sen. Tuberville, Tommy [R-AL]	R · AL		Mar 22, 2022
Sen. Wicker, Roger F. [R-MS]	R · MS		Mar 22, 2022
Sen. Rounds, Mike [R-SD]	R · SD		Mar 24, 2022
Sen. Blackburn, Marsha [R-TN]	R · TN		Apr 4, 2022
Sen. Young, Todd [R-IN]	R · IN		Apr 7, 2022
Sen. Kennedy, John [R-LA]	R · LA		May 17, 2022

## Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Mar 22, 2022

## Subjects & Policy Tags

### Policy Area:

Labor and Employment

## Related Bills

Bill	Relationship	Last Action
117 HR 5171	Related bill	Nov 1, 2022: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
117 HR 7194	Identical bill	Nov 1, 2022: Referred to the Subcommittee on Courts, Intellectual Property, and the Internet.
117 HR 6952	Related bill	Mar 7, 2022: Referred to the House Committee on Education and Labor.
117 S 3454	Related bill	Jan 18, 2022: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 234.
117 S 2867	Related bill	Sep 28, 2021: Read twice and referred to the Committee on Indian Affairs.
117 HR 4839	Related bill	Jul 29, 2021: Referred to the House Committee on Education and Labor.
117 HR 3185	Related bill	May 13, 2021: Referred to the House Committee on Education and Labor.
117 S 1636	Related bill	May 13, 2021: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
117 HR 1523	Related bill	Mar 2, 2021: Referred to the House Committee on Education and Labor.
117 S 526	Related bill	Mar 2, 2021: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

## Summary (as of Mar 22, 2022)

### Employee Rights Act

This bill makes various changes with respect to the collective bargaining process and labor relations.

For example, the bill permits an employer to refuse to collectively bargain with a union within 90 days prior to the expiration of a collective bargaining agreement if the employer receives evidence that the majority of the employees in the bargaining unit do not support the union.

The bill requires support from a majority of the employees in the bargaining unit (not just a majority of the employees voting) when electing union representation. The bill also requires unions to provide bargaining unit employees with the right to vote by secret ballot, including when voting whether to engage in a strike or refusal to work.

Further, union dues, fees, assessments, and other contributions may be used for only collective bargaining or contract administrative functions.

Additionally, the bill establishes a process for nullifying executive orders that the Office of Management and Budget determines are likely to result in an employer ordering a plant closure or mass layoff.

### Actions Timeline

- Mar 22, 2022: Introduced in Senate
- Mar 22, 2022: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.