



March 19, 2013

The Honorable John Kline  
Chairman  
U.S. House Committee on Education and the Workforce  
2181 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Kline:

On behalf of the Society for Human Resource Management (SHRM), I am writing in strong support of H.R. 1120, "Preventing Greater Uncertainty in Labor-Management Relations Act." SHRM supports H.R. 1120 because it would provide short-term clarity to HR professionals on the application to the workplace of hundreds of National Labor Relations Board (NLRB) rulings promulgated since January 2012.

SHRM is the world's largest association devoted to human resource management. Representing more than 260,000 members in over 140 countries, the Society serves the needs of HR professionals and advances the interests of the HR profession. Founded in 1948, SHRM has more than 575 affiliated chapters within the United States and subsidiary offices in China, India and United Arab Emirates.

As you know, President Obama on January 4, 2012 appointed Sharon Block, Terence Flynn, and Richard Griffin to the NLRB. On January 25, 2013, the U.S. Court of Appeals for the District of Columbia unanimously held in [Noel Canning v. NLRB](#) that the President's appointments to the NLRB were not valid "recess" appointments under the Constitution because they did not occur during an "intersession" recess of the U.S. Senate. The NLRB announced March 12 that it will seek U.S. Supreme Court review of the federal court's decision in *Noel Canning*, which ensures the validity of all NLRB actions will be in question for several more months or years.

SHRM supports balanced public policy in labor-management relations and recognizes the right of employees to choose whether to join a labor union. For these reasons, SHRM is pleased that H.R. 1120 does not prevent NLRB regional offices from accepting and processing unfair labor practice charges filed by a worker, employer or union.

Mr. Chairman, we urge all members of the committee to support H.R. 1120. We commend you and Subcommittee Chairman Roe for your work to provide clarity in labor-management relations until the NLRB's appeal in *Noel Canning v. NLRB* is resolved. If you have any additional questions on this issue I am available to serve as a resource to you and the committee. Please do not hesitate to contact me at [Mike.Aitken@shrm.org](mailto:Mike.Aitken@shrm.org) or by telephone at (703) 535-6027.

Sincerely,

A handwritten signature in black ink that reads "Mike Aitken".

Michael P. Aitken  
Vice President, Government Relations

**CC: The Honorable Phil Roe, Chairman, U.S. House Subcommittee on Health, Employment, Labor, and Pensions**