



ABC Keystone
Headquarters
135 Shellyland Road
Manheim, PA 17545
Office: (717) 653-8106
Fax: (717) 653-6431

Nittany Valley Office
898 N Eagle Valley Road
Howard, PA 16841
Legislative Office
800 N 3rd Street, Ste. 407
Harrisburg, PA 17102

April 21, 2023

The Honorable Jason Dawkins
House Labor & Industry Committee
32B East Wing
PO Box 202179
Harrisburg, PA 17120-2179

Dear Chairman Dawkins:

On behalf of the members of Associated Builders and Contractors (ABC) Keystone Chapter, we are reaching out to comment on Rep. Fiedler's House bill 950. To be clear we have no objection to any individual's desire to join a union. It is currently a right afforded to every American and has no legal threat that creates a necessity to enshrine that right in Pennsylvania's Constitution. In fact, the National Labor Relations Board (NLRB) has been more than capable in overseeing elections and questions related to organized labor practices which more often than not side with organized labor in recent history.

Despite these facts, Pennsylvanians choose to not join a union – the U.S. Bureau of Labor Statistics reports that in 2022 only 12.7 percent of employees are represented by unions. While that is a scarce population of employees it is based on the free choice of employees to not want to be a member of a union, pay union dues or be represented by a union in collective bargaining.

ABC does question language in the proposed Constitutional Amendment within HB 950. Specifically, we question the constitutionality of stating that, "No law shall be passed that interferes with, negates or diminishes the right of employees to organize and bargain collectively over their wages, hours and other terms and conditions of employment and work place safety." This sets an extremely dangerous precedent to state that no law can ever be considered in perpetuity and also raises questions on how this may impact an individual that does not want to organize and participate in the collective bargaining process as their rights are just as deserving for protection.

We also are unsure of the intent behind stating that this directive extends to any law or local ordinance. Does this mean that the intent is to extend to every political subdivision and ordinance thereof to adhere to a stringent requirement for collective bargaining as amended in the Pennsylvania Constitution? If so, we again ask what rights are being infringed or bargaining agreements that are not being negotiated or executed in good faith or not given oversight under state or federal agencies?

This bill is not clear what right is being restricted or harmed that needs to be included in the Constitution. While our members and our organization choose not to participate in organized labor, we are not opposed to organizing nor do we support any infringement on an individual's right to organize. We do believe it is unnecessary to include this strong language in the Constitution and most importantly are concerned to the lengths of which the sponsors seek to codify collective bargaining as the law of the land.

While we believe HB 950 is not necessary, ABC would be neutral on the bill if amended to only state, "Employees shall have the fundamental right to organize and to bargain collectively through representatives of their own choosing for the purpose of negotiating wages, hours and working conditions, and to protect their economic welfare and safety at work." That would expressly state an individual's right to organize – which is already a protected right – without further confusing language.

Please contact our Government Affairs Director, Jim Willshier, at jim@abckeystone.org if we can provide more information or participate in future discussions.

Sincerely,



G. David Sload
President-CEO

cc: The Honorable Ryan Mackenzie
Mr. Ryan Beaston, House Labor and Industry Committee
Mr. John Scarpato, House Labor and Industry Committee