

**ASSEMBLY CONCURRENT
RESOLUTION No. 111**

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Urges President and Congress to enact legislation amending “Civil Rights Act of 1964” to protect worker’s right to unionize.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/13/2020)

1 **A CONCURRENT RESOLUTION** urging the President and Congress to
2 enact legislation amending the “Civil Rights Act of 1964” to
3 protect a worker’s right to unionize.

4
5 **WHEREAS**, A worker’s right to unionize is one of the key components
6 of healthy labor relations in this country; and

7 **WHEREAS**, Unions play a pivotal role in securing employee labor
8 protections and rights, such as safety and health, overtime, and
9 family or medical leave, and in enforcing those rights on the job;
10 and

11 **WHEREAS**, The federal 1935 “National Labor Relations Act” (NLRA)
12 recognizes the “right to self-organization, to form, join, or assist
13 labor organizations” and provides certain rights to covered
14 employees to join together to improve their wages and working
15 conditions, with or without a union; and

16 **WHEREAS**, Under the NLRA, firing an employee for trying to
17 organize a union is illegal; however, the penalties for violations are
18 weak, typically providing only for limited amounts of back pay to
19 the aggrieved employee after an extended hearing; and

20 **WHEREAS**, Employers, therefore, have little incentive to comply with
21 the provisions of the law, and instead often choose to pay the small
22 penalties assessed for violations as a cost of doing business; and

23 **WHEREAS**, Such blatant disregard for the law not only blocks a
24 worker’s access to the protections provided by unions, but also
25 damages workers’ perceptions that unions can safeguard their
26 members; and

27 **WHEREAS**, Amending the “Civil Rights Act of 1964” to outlaw
28 employer discrimination based on union organizing activities, such
29 as firing or demoting an employee, can provide workers the
30 protections intended under the NLRA; and

31 **WHEREAS**, The sanctions under the “Civil Rights Act of 1964”
32 include injunctive, compensatory, and punitive damages in federal
33 court, thereby providing a much stronger deterrent to employers
34 than the NLRA; and

35 **WHEREAS**, Including labor protections under a civil rights rubric may
36 also help make discrimination against union organizers culturally
37 unacceptable, which would strengthen unions and their role in
38 healthy labor relations; and

39 **WHEREAS**, The Legislature of the State of New Jersey fully supports a
40 workers’ right to unionize and encourages the President and
41 Congress to enact legislation that includes this right under the
42 “Civil Rights Act of 1964”; now, therefore,

43
44 **BE IT RESOLVED** by the General Assembly of the State of New
45 Jersey (the Senate concurring):

46
47 1. The Legislature of the State of New Jersey respectfully urges
48 the President of the United States and the United States Congress to

1 enact legislation amending the “Civil Rights Act of 1964” to outlaw
2 employer discrimination based on union organizing activities, thereby
3 protecting a worker’s right to unionize.

4
5 2. Copies of this resolution, as filed with the Secretary of State,
6 shall be transmitted by the Clerk of the General Assembly or the
7 Secretary of the Senate to the President and Vice President of the
8 United States, the Majority Leader and Minority Leader of the United
9 States Senate, the Speaker and Minority Leader of the United States
10 House of Representatives, and each member of the United States
11 Congress elected from the State of New Jersey.

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STATEMENT

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16 This resolution respectfully urges the President of the United States
17 and the United States Congress to enact legislation amending the
18 “Civil Rights Act of 1964” to outlaw employer discrimination based
19 on union organizing activities, thereby protecting a worker’s right to
20 unionize.