



February 16, 2012

The Honorable Michael B. Enzi
United States Senate
379A Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Enzi:

On behalf of the National Retail Federation (NRF), I am writing to you urge your support for the Joint Resolution of Disapproval challenging the National Labor Relations Board's (NLRB) rule on ambush elections. Senator Mike Enzi has introduced this resolution, and NRF urges you to support this legislation.

As the world's largest retail trade association and the voice of retail worldwide, NRF's global membership includes retailers of all sizes, formats and channels of distribution as well as chain restaurants and industry partners from the United States and more than 45 countries abroad. In the U.S., NRF represents an industry that includes more than 3.6 million establishments and which directly and indirectly accounts for 42 million jobs – one in four U.S. jobs. The total U.S. GDP impact of retail is \$2.5 trillion annually, and retail is a daily barometer of the health of the nation's economy.

Senator Enzi's resolution will relieve the serious threat to both employees and employers posed by a recently finalized NLRB rule regarding election timing. The rule, announced December 21, 2011, would drastically change the process for union representation elections and would severely limit worker access to information needed to make an informed decision about whether or not to vote in favor of a union.

The average amount of time that elapses in a NLRB election is presently 37 days. Under the new rule, a vote could happen in as few as fourteen days, leaving an employer little time to prepare for an election. Moreover, since a union can be organizing for an election and talking to employees for up to a year before a formal petition for an election is submitted to the NLRB, the new rule severely tilts the playing field against employers. As a result, the quality and quantity of information available to employees in consideration of the issue will be severely unbalanced; and the rights of employees who do not favor the union position will be undermined.

This action by the NLRB, taken along with a series of other extraordinary rulings over the course of the last nine months, are nothing more than an attempt to impose the Employee Free Choice Act (card-check) on employees and employers through regulation. We urge you to strongly reject this "backdoor" card check agenda by a board of unelected bureaucrats and restore balance to the organizing process so that we can start removing the economic uncertainty facing both employers and employees.

NRF is fully behind Senator Enzi's effort, and we urge you to support the Joint Resolution of Disapproval. We look forward to working with the Senate to move this Resolution forward.

Sincerely,

A handwritten signature in black ink, appearing to read 'David French', with a stylized flourish at the end.

David French
Senior Vice President
Government Relations



Liberty Place
325 7th Street NW, Suite 1100
Washington, DC 20004
800.NRF.HOW2 (800.673.4692)
202.783.7971 fax 202.737.2849
www.nrf.com