



IWV Supports The Employee Rights Act

April 17, 2023

Dear Senators and Members of Congress,

Independent Women's Voice is the leading national women's organization dedicated to advancing common sense public policies that expand opportunity for women and all workers. On behalf of IWV, I urge you to support the Employee Rights Act, introduced by Senator Tim Scott and Representative Rick Allen.

The Protecting the Right to Organize (PRO) Act would push workers back into an antiquated, union-dictated 9-to-5 work world, but the Employee Rights Act takes our changing workforce and modern economy into account.

The Employee Rights Act includes an important provision also in the Modern Worker Empowerment Act which updates the law to utilize the common-law definition of an employee. This standard is less severe than the PRO Act's three-pronged ABC test which would reclassify millions of the nation's independent contractors leaving them economically vulnerable and threatening flexible work.

This bill would also allow companies to extend benefits to independent contractors without restricting the flexible work options that give these individuals more choice and control over when they work.

If the PRO Act becomes the law of the land then many Americans, particularly those who rely on flexible work arrangements that allow them to control their own schedules and balance their desire to work with caring for family members, might be forced to leave the workforce. Sadly, **this has been the case in California** where AB 5, which the PRO Act is modeled after, took effect in 2020. Countless small businesses have been forced to shutter and independent professionals across the state saw their preferred work choices destroyed.

Workers, especially women, have long sought out flexible work arrangements. Policies should encourage employers to continue to offer this flexibility and allow more women to stay in the workforce.

Also, unlike the PRO Act which has over 20 provisions that would tip the scales in favor of unions at the expense of workers, this bill prioritizes individual choice for workers over the agendas of union bosses. It prevents the elimination of Right-to-Work laws in 27 states which protect workers from being fired if they choose not to join a union, stipulates that a majority of employees must have the right to a secret paper ballot election, and requires unions obtain explicit approval from members before using dues for political reasons.

We thank Senator Scott and Representative Allen for their leadership on this issue and urge all senators and members of Congress to join them and support the Employee Rights Act.

Respectfully,

A handwritten signature in black ink, appearing to read 'Patrice Onwuka', with a long horizontal flourish extending to the right.

Patrice Onwuka

Director

Center for Economic Opportunity