

May 15, 2014

Mark Gaston Pierce
Chairman, National Labor Relations Board
1099 14th St. N.W.
Washington, D.C. 20570-0001

Dear Chairman Pearce and Board:

As the CEO and Chairman of the Colorado Association of Commerce and Industry's (CACI) Board, we are gravely concerned about the direction the National Labor Relations Board (NLRB) is taking in administering the National Labor Relations Act. Especially at a time when our economy is beginning to show signs of life, adding uncertainty to the markets by allowing so-called "ambush elections", reconsidering the Register Guard decision and adding to the burdens of Excelsior lists will only drag our economy backward.

For background, CACI is both Colorado's State Chamber of Commerce, as well as the statewide representative for our manufacturing industry, which means we represent and balance a full range of businesses, employers and employee interests. As an association we work hard to ensure our state has a thriving economy, where businesses are members of the community and employees are more often partners in innovation than at odds over work environment.

Through CACI, we ensure workers have more opportunities to grow with Colorado's evolving high-tech and aerospace fields, as well as keeping pace with the healthcare, telecommunications, tourism and energy industries. That is why we have critical concerns when matters proposed and considered by the NLRB appear to be less about employee well-being and more about a union solution in search of a problem.

However, this letter is about more than just issues being reviewed by the NLRB – it is about ensuring our country continues to recover so businesses can ensure people have good jobs to go to every day. **We believe the following NLRB issues are being considered to the detriment of U.S. businesses:**

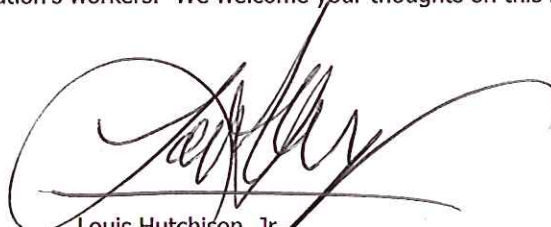
- **"Ambush Elections":** Union elections currently take an average of 35 - 38 days, but unions can target workers for a year or more prior to filing to unionize. On the other hand, businesses only have a matter of days to educate their workers about the pros and cons of unionizing. **It is unacceptable that a proposal before the NLRB would ambush businesses by reducing union election times – and the time for businesses to talk with employees – to as little as 10 days.**
- **Privacy Concerns & Excelsior Burdens:** Proposed Excelsior changes would be a blatant invasion of employee privacy, not to mention increasing burdens on businesses *without any benefit to employees*. Requiring cell phone numbers, home addresses, personal email addresses and employee schedules be given to unions, regardless of whether an employee is interested in unionizing, crosses a line from assisting union activities to that of targeting, harassment and extreme invasion of privacy. **No other government agency requires information to this extent and neither should the NLRB.**
- **Register Guard Review:** Businesses provide employees tools for success and empower employees to do their jobs well. However, employer-sponsored email platforms are the property of that company and are solely meant to facilitate employees' roles. **Allowing employer emails to be used for union purposes is tantamount to requiring business endorsement of union activities– and is simply another overreach and threat to the well-being of businesses.**

While CACI opposes the above three issues, our mission is to develop a strong environment for business investment and growth. With our mission come respectable, reliable jobs. Therefore, CACI calls on the NLRB to consider the position of Colorado employers, keeping the welfare of our nation's economic recovery and job creators in mind – in turn, we can continue providing good jobs for Colorado and our nation's workers. We welcome your thoughts on this letter and encourage an open dialogue on this and other labor matters.

Sincerely,



Chuck Berry
President, CACI



Louis Hutchison, Jr.
Chair, CACI Board of Directors