



January 27, 2011

Lester A. Heltzer
Executive Secretary
National Labor Relations Board
1099 14th Street, NW.
Washington, DC 20570

RE: 3142-AA07

On behalf of the Small Business Legislative Council (SBLC), we wish to object to the National Labor Relations Board's (NLRB) proposed regulation requiring employers subject to the National Labor Relations Act (NLRA) to post notices informing their employees of their rights as employees under the NLRA.

We believe this proposal is not supported by any facts. The NLRB states: "For employees to exercise their NLRA rights, however, they must know that those rights exist. There is reason to think that most do not." The proposal then goes on to cite the observations of three "commentators." There is no demonstration that employees have been harmed by the lack of a poster in the workplace. We would submit "reason to think" is not justification for a rule.

The proposal goes on to say, "The NLRA is almost unique among major Federal labor laws in not including an express statutory provision requiring employers routinely to post notices at their workplaces informing employees of their statutory rights." The NLRB is attempting to use this observation to substitute its will for that of Congress. The fact Congress has chosen not require a poster when it has affirmatively done so in other instances is compelling proof that Congress knew what it was doing.

We urge the Board to withdraw this proposal and leave the workplace to employers and employees.

The Small Business Legislative Council is a permanent, independent coalition of over 50 trade and professional associations that share a common commitment to the future of small business. Our members represent the interests of small businesses in such diverse economic sectors as manufacturing, retailing, distribution, professional and technical services, construction, transportation, and agriculture. Our policies are developed through a consensus among our membership. Individual associations may express their own views.