

- Sec.
164. Construction of provisions.
165. Conflict of laws.
166. Separability.
167. Short title of subchapter.
168. Validation of certificates and other Board actions.
169. Employees with religious convictions; payment of dues and fees.

SUBCHAPTER III—CONCILIATION OF LABOR DISPUTES; NATIONAL EMERGENCIES

171. Declaration of purpose and policy.
172. Federal Mediation and Conciliation Service.
173. Functions of Service.
174. Co-equal obligations of employees, their representatives, and management to minimize labor disputes.
175. National Labor-Management Panel; creation and composition; appointment, tenure, and compensation; duties.
175a. Assistance to plant, area, and industrywide labor management committees.
176. National emergencies; appointment of board of inquiry by President; report; contents; filing with Service.
177. Board of inquiry.
178. Injunctions during national emergency.
179. Injunctions during national emergency; adjustment efforts by parties during injunction period.
180. Discharge of injunction upon certification of results of election or settlement; report to Congress.
181. Compilation of collective bargaining agreements, etc.; use of data.
182. Exemption of Railway Labor Act from subchapter.
183. Conciliation of labor disputes in the health care industry.

SUBCHAPTER IV—LIABILITIES OF AND RESTRICTIONS ON LABOR AND MANAGEMENT

185. Suits by and against labor organizations.
186. Restrictions on financial transactions.
187. Unlawful activities or conduct; right to sue; jurisdiction; limitations; damages.
188. Repealed.

SUBCHAPTER V—CONGRESSIONAL JOINT COMMITTEE ON LABOR-MANAGEMENT RELATIONS

191 to 197. Omitted.

SUBCHAPTER I—GENERAL PROVISIONS

§ 141. Short title; Congressional declaration of purpose and policy

(a) This chapter may be cited as the “Labor Management Relations Act, 1947”.

(b) Industrial strife which interferes with the normal flow of commerce and with the full production of articles and commodities for commerce, can be avoided or substantially minimized if employers, employees, and labor organizations each recognize under law one another’s legitimate rights in their relations with each other, and above all recognize under law that neither party has any right in its relations with any other to engage in acts or practices which jeopardize the public health, safety, or interest.

It is the purpose and policy of this chapter, in order to promote the full flow of commerce, to prescribe the legitimate rights of both employees and employers in their relations affecting commerce, to provide orderly and peaceful procedures for preventing the interference by either with the legitimate rights of the other, to pro-

tect the rights of individual employees in their relations with labor organizations whose activities affect commerce, to define and proscribe practices on the part of labor and management which affect commerce and are inimical to the general welfare, and to protect the rights of the public in connection with labor disputes affecting commerce.

(June 23, 1947, ch. 120, § 1, 61 Stat. 136.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “This Act” meaning act June 23, 1947, ch. 120, 61 Stat. 136, which is classified principally to this subchapter and subchapters III (§171 et seq.) and IV (§185 et seq.) of this chapter. For complete classification of this act to the Code, see Tables.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 1978 AMENDMENT

Pub. L. 95-524, §6(a), Oct. 27, 1978, 92 Stat. 2020, provided that: “This section [enacting section 175a of this title, amending sections 173 and 186 of this title, and enacting provisions set out as notes under section 175a of this title] may be cited as the ‘Labor Management Cooperation Act of 1978.’”

NATIONAL COMMISSION ON TECHNOLOGY, AUTOMATION, AND ECONOMIC PROGRESS

Pub. L. 88-444, Aug. 19, 1964, 78 Stat. 462, established the National Commission on Technology, Automation, and Economic Progress, to make a comprehensive and impartial study and make recommendations from time to time as needed for constructive action. The Commission was directed to submit a final report of its findings and recommendations to the President and the Congress by January 1, 1966, and ceased 30 days after submitting its final report.

Executive Documents

EXECUTIVE ORDER NO. 10918

Ex. Ord. No. 10918, Feb. 16, 1961, 26 F.R. 1427, which established the President’s Advisory Committee on Labor-Management Policy, was revoked by Ex. Ord. No. 11710, Apr. 4, 1973, 38 F.R. 9071, formerly set out below.

EXECUTIVE ORDER NO. 11710

Ex. Ord. No. 11710, Apr. 4, 1973, 38 F.R. 9071, as amended by Ex. Ord. No. 11729, July 12, 1973, 38 F.R. 18863, which established the National Commission for Industrial Peace, was revoked by Ex. Ord. No. 11823, Dec. 12, 1974, 39 F.R. 43529.

EXECUTIVE ORDER NO. 11809

Ex. Ord. No. 11809, Sept. 30, 1974, 39 F.R. 35565, which established the President’s Labor-Management Committee, was revoked by Ex. Ord. No. 11948, Dec. 20, 1976, 41 F.R. 55705, formerly set out as a note under section 1013 of Title 5, Government Organization and Employees.

EX. ORD. NO. 14025. WORKER ORGANIZING AND EMPOWERMENT

Ex. Ord. No. 14025, Apr. 26, 2021, 86 F.R. 22829, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

SECTION 1. *Policy and Findings.* The National Labor Relations Act (29 U.S.C. 151 [et seq.]) proclaims that the policy of the United States is to encourage worker organizing and collective bargaining and to promote

equality of bargaining power between employers and employees. In the Federal Service Labor-Management Relations Statute (5 U.S.C. 7101(a)(1)), the Congress found that “experience in both private and public employment indicates that the statutory protection of the right of employees to organize, bargain collectively, and participate through labor organizations of their own choosing in decisions which affect them . . . safeguards the public interest, . . . contributes to the effective conduct of public business, and . . . facilitates and encourages the amicable settlements of disputes between employees and their employers involving conditions of employment.”

In the past few decades, the Federal Government has not used its full authority to promote and implement this policy of support for workers organizing unions and bargaining collectively with their employers. During this period, economic change in the United States and globally, technological developments, and the failure to modernize Federal organizing and labor-management relations laws to respond appropriately to the reality found in American workplaces, have made worker organizing exceedingly difficult.

The result has been a steady decline in union density in the United States and the loss of worker power and voice in workplaces and communities across the country. This decline has had a host of negative consequences for American workers and the economy, including weakening and shrinking America’s middle class. Meanwhile, some workers have been excluded from opportunities to organize unions and bargain collectively with their employers by law or practice, and so have never been able to build meaningful economic power or have a voice in their workplaces.

Confirming the policies declared in Federal labor laws, substantial evidence shows that union membership increases wages, the likelihood of receiving employer-provided benefits, and job security. Union membership also gives workers the means to build the power to ensure that their voices are heard in their workplaces, their communities, and in the Nation.

Therefore, it is the policy of my Administration to encourage worker organizing and collective bargaining.

SEC. 2. Task Force on Worker Organizing and Empowerment. There is hereby established within the Executive Office of the President the Task Force on Worker Organizing and Empowerment (Task Force).

(a) The Vice President shall serve as Chair of the Task Force. In addition to the Vice President, the Task Force shall consist of the following officials or their designees:

- (i) the Secretary of Labor, who shall serve as Vice Chair of the Task Force;
- (ii) the Secretary of the Treasury;
- (iii) the Secretary of Defense;
- (iv) the Secretary of the Interior;
- (v) the Secretary of Agriculture;
- (vi) the Secretary of Commerce;
- (vii) the Secretary of Health and Human Services;
- (viii) the Secretary of Housing and Urban Development;
- (ix) the Secretary of Transportation;
- (x) the Secretary of Energy;
- (xi) the Secretary of Education;
- (xii) the Secretary of Veterans Affairs;
- (xiii) the Secretary of Homeland Security;
- (xiv) the Administrator of the Environmental Protection Agency;
- (xv) the Administrator of General Services;
- (xvi) the Administrator of the Small Business Administration;
- (xvii) the United States Trade Representative;
- (xviii) the Director of the Office of Management and Budget;
- (xix) the Director of the Office of Personnel Management;
- (xx) the Chair of the Council of Economic Advisers;
- (xxi) the Assistant to the President for Domestic Policy;
- (xxii) the Assistant to the President for Economic Policy;

(xxiii) the Assistant to the President and National Climate Advisor; and

(xxiv) the heads of such other executive departments, agencies, and offices as the President may from time to time designate upon the recommendation of the Chair of the Task Force.

(b) The Task Force and its members shall identify executive branch policies, practices, and programs that could be used, consistent with applicable law, to promote my Administration’s policy of support for worker power, worker organizing, and collective bargaining. This identification shall include policies, practices, and programs that could be used to promote worker power in areas of the country with hostile labor laws, for marginalized workers (including women and persons of color) and hard-to-organize industries, and in changing industries. The Task Force and its members also shall identify statutory, regulatory, or other changes that may be necessary to make policies, practices, and programs more effective means of supporting worker organizing and collective bargaining.

(c) The functions of the Task Force are advisory in nature only; the purpose of the Task Force is to make recommendations regarding changes to policies, practices, programs, and other changes that would serve the objectives of this order.

(d) The Task Force should invite the National Labor Relations Board, the Federal Labor Relations Authority, the National Mediation Board, and other executive agencies, boards, and commissions with responsibility for implementing laws concerning worker organizing and collective bargaining to consult, as appropriate and consistent with applicable law, with the Task Force.

(e) The Chair may establish such sub-committees or other working groups composed of Task Force members or their representatives as may be necessary to accomplish the objectives of this order.

(f) Consistent with the objectives of this order and applicable law, the Task Force may gather relevant information from labor organizations, other worker advocates, academic and other experts, and other entities and persons it identifies that will assist the Task Force in accomplishing the objectives of this order.

(g) The Task Force shall, within 180 days of the date of this order [Apr. 26, 2021], submit to the President recommendations for actions as described in subsection (b) of this section to promote worker organizing and collective bargaining in the public and private sectors, and to increase union density. The Task Force may, at the Chair’s discretion, recommend appropriate or time-sensitive individual actions to promote worker organizing and collective bargaining before the deadline established by this section. The Task Force and its members shall work to implement all recommendations that the President may approve, to the extent permitted by law, and shall report their progress as directed by the Chair.

SEC. 3. Definitions. For purposes of this order:

(a) “Policies, practices, and programs” includes regulations; guidance and other formal policy documents; procurements; grants and other direct or indirect Federal investments; tax and trade administration and enforcement; administration and enforcement of labor, employment, and other relevant laws; property management; and human resources management and labor relations.

(b) “Worker organizing and collective bargaining” encompasses the private sector, State and local governments, and the Federal Government. It also includes those sectors of the economy and those workers who have not historically been able to unionize, or whose ability to effectively collectively bargain or organize has been undermined.

(c) the term “agency” refers to all agencies described in section 3502(1) of title 44, United States Code, except for the agencies described in section 3502(5) of title 44.

SEC. 4. Revocations. (a) Executive Order 13845 of July 19, 2018 (Establishing the President’s National Council for the American Worker) [former 29 U.S.C. 3101 note],

and Executive Order 13931 of June 26, 2020 (Continuing the President's National Council for the American Worker and the American Workforce Policy Advisory Board) [former 29 U.S.C. 3101 note], are revoked.

(b) The Director of the Office of Management and Budget and the heads of executive departments and agencies shall promptly consider taking steps to rescind any orders, rules, regulations, guidelines, or policies, or portions thereof, implementing or enforcing Executive Order 13845 or Executive Order 13931, as appropriate and consistent with applicable law, including the Administrative Procedure Act (5 U.S.C. 551 *et seq.*). In addition, they shall abolish any personnel positions, committees, task forces, or other entities established pursuant to Executive Order 13845 or Executive Order 13931, as appropriate and consistent with applicable law.

SEC. 5. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

J.R. BIDEN, JR.

§ 142. Definitions

When used in this chapter—

(1) The term “industry affecting commerce” means any industry or activity in commerce or in which a labor dispute would burden or obstruct commerce or tend to burden or obstruct commerce or the free flow of commerce.

(2) The term “strike” includes any strike or other concerted stoppage of work by employees (including a stoppage by reason of the expiration of a collective-bargaining agreement) and any concerted slowdown or other concerted interruption of operations by employees.

(3) The terms “commerce”, “labor disputes”, “employer”, “employee”, “labor organization”, “representative”, “person”, and “supervisor” shall have the same meaning as when used in subchapter II of this chapter.

(June 23, 1947, ch. 120, title V, § 501, 61 Stat. 161.)

Editorial Notes

REFERENCES IN TEXT

Subchapter II of this chapter, referred to in par. (3), was in the original “the National Labor Relations Act as amended by this Act” [29 U.S.C. § 151 *et seq.*].

§ 143. Saving provisions

Nothing in this chapter shall be construed to require an individual employee to render labor or service without his consent, nor shall anything in this chapter be construed to make the quitting of his labor by an individual employee an illegal act; nor shall any court issue any process to compel the performance by an individual employee of such labor or service, without his consent; nor shall the quitting of labor by an employee or employees in good faith because of abnormally dangerous conditions for

work at the place of employment of such employee or employees be deemed a strike under this chapter.

(June 23, 1947, ch. 120, title V, § 502, 61 Stat. 162.)

§ 144. Separability

If any provision of this chapter, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this chapter, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

(June 23, 1947, ch. 120, title V, § 503, 61 Stat. 162.)

SUBCHAPTER II—NATIONAL LABOR RELATIONS

Editorial Notes

CODIFICATION

This subchapter is comprised of the National Labor Relations Act, and is not part of the Labor Management Relations Act, 1947, which comprises this chapter.

§ 151. Findings and declaration of policy

The denial by some employers of the right of employees to organize and the refusal by some employers to accept the procedure of collective bargaining lead to strikes and other forms of industrial strife or unrest, which have the intent or the necessary effect of burdening or obstructing commerce by (a) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (b) occurring in the current of commerce; (c) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods from or into the channels of commerce, or the prices of such materials or goods in commerce; or (d) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing from or into the channels of commerce.

The inequality of bargaining power between employees who do not possess full freedom of association or actual liberty of contract, and employers who are organized in the corporate or other forms of ownership association substantially burdens and affects the flow of commerce, and tends to aggravate recurrent business depressions, by depressing wage rates and the purchasing power of wage earners in industry and by preventing the stabilization of competitive wage rates and working conditions within and between industries.

Experience has proved that protection by law of the right of employees to organize and bargain collectively safeguards commerce from injury, impairment, or interruption, and promotes the flow of commerce by removing certain recognized sources of industrial strife and unrest, by encouraging practices fundamental to the friendly adjustment of industrial disputes arising out of differences as to wages, hours, or other working conditions, and by restoring equality of bargaining power between employers and employees.

Experience has further demonstrated that certain practices by some labor organizations, their