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June 30, 2025

Jennifer Abruzzo
Senior Advisor to the President
Communications Workers of America
501 3rd Street NW
Washington, DC 20001

Dear Ms. Abruzzo:

Thank you again for testifying before the Subcommittee on Health, Employment, Labor, and Pensions at the hearing titled "Restoring Balance: Ensuring Fairness and Transparency at the NLRB." Enclosed are additional questions following the hearing. Please provide a written response no later than July 21, 2025, for inclusion in the hearing record. The response should be sent to Katerina Kerska of the Committee staff who can be contacted at (202) 226-9435 or Katerina.Kerska@mail.house.gov.

We appreciate your contribution to the work of the Subcommittee.

Sincerely,

A handwritten signature in blue ink that reads "Rick W. Allen".

Rick W. Allen
Chairman
Subcommittee on Health, Employment, Labor, and Pensions

**Questions for the Record from
REPRESENTATIVE JOE WILSON**

**Committee on Education and Workforce
HELP Subcommittee hearing titled: “Restoring Balance: Ensuring Fairness and
Transparency at the NLRB”**

**Wednesday, June 11, 2025
10:15 A.M.**

Representative Joe Wilson (R-SC)

**Question(s) for Jennifer Abruzzo, Senior Advisor to the President, Communications
Workers of America**

1. Ms. Abruzzo, you’ve described the *Cemex* framework as a lawful evolution of the National Labor Relations Board’s authority under the Act, but many see it as a radical departure from precedent.
 - a. Can you point to where in the Act—textually or by precedent—you believe the Board finds authority to impose bargaining orders based on such minimal showings of support, effectively treating the mere filing of an RC petition as creating a near-irrebuttable presumption of majority status?
 - b. Given that the Supreme Court in *Gissel* expressly limited bargaining orders to cases involving egregious employer conduct that undermines a fair election, how do you reconcile *Cemex* with that standard—especially when even the Ninth Circuit, hardly a conservative court, has cautioned against stretching *Gissel* too far?