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HEMISPHERE, CIVILIAN SECURITY,
MIGRATION AND INTERNATIONAL
ECONOMIC POLICY

Congressman Andy Levin

Testimony Before the House Appropriations Subcommittee on the Legislative Branch for Fiscal Year 2023

FY 2023 Members' Day Hearing – Wednesday, May 18th, 2022

Chair Ryan, Ranking Member Herrera Beutler, and Members of the subcommittee, thank you for holding this members' day hearing and providing the opportunity to testify today.

Earlier this year, I was honored to introduce a House resolution in support of congressional workers' right to organize. The resolution approves regulations issued in 1996. Following the passage of the Congressional Accountability Act in 1995, the Office of Compliance – now known as the Office of Congressional Workplace Rights – adopted regulations that would extend legal protections to congressional staff who choose to organize and bargain collectively. These regulations required Congressional approval for enactment, and for twenty-six long years, they lay dormant. At long last, on Tuesday May 10, the House passed the resolution – completing the final step to give most congressional workers in the House legal protection to organize and bargain collectively. In other words, House staffers are now free to organize and join a union without fear of retaliation, if they so choose.

Now, we turn to implementation of congressional unionization. My testimony today will address two matters before the subcommittee: adequate funding for the Office of Congressional Workplace Rights (OCWR), and language to permit unionization for joint congressional staff.

OCWR is charged with enforcement of workplace rights in the legislative branch. This includes supervision and certification of union elections, adjudication of claims under the Congressional Accountability Act, and the investigation and prosecution of unfair labor practices. For over two decades, OCWR has handled labor management for unionized offices of the legislative branch (for instance, employees of the Library of Congress and the Capitol Police). In the face of widespread House unionization, though, OCWR will be tasked with labor relations for potentially hundreds more offices.

In March, the Committee on House Administration held a hearing on implementation of collective bargaining rights for House staff. At this hearing, OCWR General Counsel John Uelmen testified that the Office would require additional funding in light of expanded House unionization. Extending legal protections to House staff will require additional staffing and resources for OCWR, beyond the flat budget requested for fiscal years 2021 through 2023. Uelmen testified that, in order to smoothly and expeditiously respond to the unionization effort, OCWR would require \$500,000 and two full-time employees.

As I requested in my letter of April 27, I respectfully request the Committee direct increased funding to OCWR in order to respond to expanded unionization, in the amount of \$500,000 and to add two full-time employees.

The benefits of unionization will now be available to House staff. I urge the subcommittee to also recognize the workplace rights of joint staff shared between the House and the Senate – for instance, the Congressional Budget Office and OCWR. While previously implemented regulations allow some staff shared between the House and the Senate to unionize, many joint employees will remain unprotected and unable to unionize. In the case of OCWR employees, this means they are tasked with the difficult challenge of implementing House-wide unionization procedures – yet are not afforded those protections in their own office. As House staffers are now protected in unionizing, I urge the Committee to recognize these same rights for joint congressional staffers by including language in the appropriations bill that applies section 220(e) to these shared offices. Inclusion of this simple language will extend much-needed legal protections to congressional employees of joint offices.

Chair Ryan and Ranking Member Herrera Beutler, all workers deserve a union. The Legislative Branch subcommittee has an opportunity to recognize congressional staffers in fiscal year 2023, by appropriating additional funds to OCWR and including language to extend legal protections to joint staffers. Thank you.