

Your Rights Under the Congressional Accountability Act



Labor/Management Relations

Section 220 of the Congressional Accountability Act (CAA) protects the right of Congressional employees' to form, join, or assist a labor organization for the purpose of collective bargaining without fear of penalty or reprisal. The rights of employees who choose not to join or participate in a labor organization are also protected. Not all Congressional employees are currently permitted to seek representation through a labor organization.

Key Provisions Under the Law

- Employees choose in an election whether they would like to have a union represent them for the purpose of collective bargaining. A majority of the employees who vote must be in favor of unionization for a labor organization to become their exclusive bargaining representative.
- Upon the certification of a labor organization as the exclusive bargaining representative, an employing office is under an obligation to recognize the labor organization as the bargaining agent of its employees. At the request of the labor organization, the employing office must meet and negotiate in good faith for the purpose of entering into a collective bargaining agreement.
- The CAA provides no right to strike, nor is there a right to engage in a work stoppage or slowdown.
- Only certain Congressional employees are currently permitted to seek representation through a labor organization.

Frequently Asked Questions About Labor/Management Relations

Q. Are employees required to become a member of a labor organization as a condition of employment?

A. No. An employee is not required to become a member of a labor organization, or to pay dues to a labor organization, as a condition of employment with an employing office.

Q. May professional employees be included in a bargaining unit with nonprofessional employees?

A. Yes. Under chapter 71, as applied by the CAA, professional employees may organize and may comprise a bargaining unit solely of professional employees. However, professional employees

Labor/Management Relations CONTINUED

may – by majority vote – decide to be included in an otherwise appropriate bargaining unit that includes nonprofessional employees.

Q. May an employing office recognize a labor organization as the exclusive bargaining representative without employees voting on the issue of representation?

A. No. An employing office may recognize a labor organization as the bargaining representative of its unit employees only after the unit employees vote for such representation in a secret ballot election, conducted by the Office of Compliance.

The Office of Compliance

The Office of Compliance protects the safety, health, and workplace rights of employees of the US Congress and the Legislative Branch. Established by the Congressional Accountability Act of 1995, the Office is an independent agency which provides an impartial dispute resolution process and educates employees and employing offices about their rights and responsibilities under the Act.

The Office of Compliance welcomes your inquiries. All contacts are kept strictly confidential. If you have any questions regarding labor/management relations or any other provision of the Congressional Accountability Act, please feel free to call the office, visit us in person, or view our web site at www.compliance.gov.

This information does not constitute an official ruling of the Board of Directors and is intended for educational purposes only. For further information, please refer to the Congressional Accountability Act (2 U.S.C 1301 et seq.) and the regulations issued by the Board, or you may contact the Office of Compliance.

The Office of Compliance
110 2nd Street, SE Room LA-200
Washington, D.C. 20540-1999
202-724-9250/TDD 202-426-1912
Recorded Information Line: 202-724-9260
www.compliance.gov

Labor/Management Relations Fact Sheet
April 2003