AMENDMENT TO THE AMENDMENT IN THE NATURE
OF A SUBSTITUTE TO H.R. 2474
OFFERED BY MR. ROC

In section 2(d)(1)—

(1) in subparagraph (A), strike “; and” and insert “a semicolon”;

(2) in subparagraph (B), in the matter proposed to amend section 8 of the National Labor Relations Act (29 U.S.C. 158)—

(A) in paragraph (6), strike the period and insert “; and” ; and

(B) add at the end the following:

“(7) to recognize or bargain collectively with a labor organization that has not been selected by a majority of such employees in a secret ballot conducted by the board in accordance with section 9.”.

In section 2(d)(2)—

(1) in subparagraph (C), strike “and” at the end;

(2) in subparagraph (D)—

(A) strike “by striking ‘; and’ and inserting a period;”; and
(B) insert "and" at the end; and

(3) add at the end the following:

1 (E) by adding at the end the following:
2 "(6) to cause or attempt to cause an employer
3 to recognize or bargain collectively with a represent-
4 ative of a labor organization that has not been se-
5 lected by a majority of such employees in a secret
6 ballot election conducted by the Board in accordance
7 with section 9.”.

In section 2(c)(1)(D), in the matter proposed to
amend section 9 of the National Labor Relations Act (29
U.S.C. 159)—

(1) strike "(A) If the Board” and insert “If the
Board”; and

(2) strike subparagraphs (B) and (C).

Add at the end the following new section:

8 SEC. __. SECRET BALLOT ELECTIONS.

9 (a) SECRET BALLOT ELECTION.—Section 9(a) of the
10 National Labor Relations Act (29 U.S.C. 159(a)) is
11 amended by inserting after “designated or selected” the fol-
12 lowing: “by a secret ballot election conducted in accord-
13 ance with this section”.

14 (b) APPLICABILITY OF CERTAIN AMENDMENTS.—
(1) IN GENERAL.—The amendments described in paragraph (2) shall not apply to collective bargaining relationships in which a labor organization with majority support was lawfully recognized before the date of the enactment of this Act.

(2) AMENDMENTS LISTED.—The amendments described under this paragraph are the amendments—

(A) made under subsection (a) of this section;

(B) to subsection (a)(7) of section 8 of the National Labor Relations Act (29 U.S.C. 158); and

(C) to subsection (b)(6) of such section of such Act.