

119TH CONGRESS
1ST SESSION

S. _____

To amend the National Labor Relations Act to protect worker privacy, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. SCOTT of South Carolina (for himself and Mr. CASSIDY) introduced the
following bill; which was read twice and referred to the Committee on

A BILL

To amend the National Labor Relations Act to protect
worker privacy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Worker Privacy Act”.

5 **SEC. 2. PROTECTING WORKER PRIVACY.**

6 (a) NOTICE OF RIGHTS AND PROTECTIONS; VOTER
7 REGISTRATION LISTS.—

8 (1) IN GENERAL.—Section 9(c) of the National
9 Labor Relations Act (29 U.S.C. 159(c)) is amended
10 by adding at the end the following:

“(6) Whenever the Board directs an election under this subsection or approves an election agreement, the employer of employees in the bargaining unit shall, not later than two business days after the Board directs such election or approves such election agreement, provide a voter list to each labor organization that has petitioned to represent such employees, which shall include the names of all employees in the bargaining unit and not more than one additional form of personal contact information for the employee (such as a telephone number, an email address, or a mailing address) chosen by the employee in writing. The voter list shall be provided in a searchable electronic format generally approved by the Board unless the employer certifies that the employer does not possess the capacity to produce the list in the required form. Not later than nine months after the date of enactment of the Worker Privacy Act, the Board shall promulgate regulations implementing the requirements of this paragraph.”

19 (2) UNFAIR LABOR PRACTICE.—Section 8(a) of
20 the National Labor Relations Act (29 U.S.C.
21 158(a)) is amended—

(A) in paragraph (5), by striking the period and inserting “; and”; and

24 (B) by adding at the end the following:

1 “(6) to violate any requirement under section
2 9(c)(6).”.

3 (b) LABOR ORGANIZATION USE OF PERSONAL IN-
4 FORMATION.—Section 8(b) of the National Labor Rela-
5 tions Act (29 U.S.C. 158(b)) is amended—

6 (1) in paragraph (6), by striking “; and” and
7 inserting a semicolon;

8 (2) in paragraph (7), in the flush text after
9 subparagraph (C), by striking the period and insert-
10 ing “; and”; and

11 (3) by adding at the end the following:

12 “(8) to fail to protect the personal information
13 of an employee provided by an employer under sec-
14 tion 9(c)(6) (such as by selling the information to a
15 third-party or using the information for political ac-
16 tivism), to use the information received under such
17 section for any reason other than a representation
18 proceeding, or to use such information after the con-
19 clusion of a representation proceeding, except that
20 nothing in this paragraph shall preclude a labor or-
21 ganization from collecting or using personal informa-
22 tion of an employee that is voluntarily provided to
23 the labor organization by the employee.”.