

Reps. McDowell, Mayes, Miller, Lindberg, Terry Brown, Constan, Dean, Durhal, Gregory, Huckleberry, Robert Jones, Kandrevas, Lahti, Lemmons, Liss, Neumann, Scripps, Spade, Gonzales, Leland, Polidori, Roberts, Rogers, Slezak and Valentine offered the following resolution:

House Resolution No. 171.

A resolution to memorialize Congress to enact the FAA Reauthorization Act of 2009 with language that treats all employees of the express carrier industry equally under federal labor laws.

Whereas, The express carrier industry, which transports and delivers goods, occupies a unique niche in the economy because it utilizes various modes of transportation on the ground and in the air. Because of how certain express carrier companies were established and are structured, employees performing the same tasks in the same industry are treated differently in the application of federal labor law. In particular, most express carrier employees are truck drivers and package handlers, governed by the National Labor Relations Act (NLRA). Some employees of companies which include air transport components are subject to the Railway Labor Act, which governs the rail and air transport industries. The Railway Labor Act (RLA) dictates procedures which make it more difficult for employees to obtain union recognition; and

Whereas, The current inconsistency in the application of federal labor laws results both in arbitrarily unequal treatment of workers, depending on their employer, and in an unfair competitive advantage for certain businesses. It is essential that workers performing the same tasks in the workplace fall under the same labor laws, and that the marketplace, not the unequal application of labor laws, determine business successes; and

Whereas, H.R. 915, the FAA Reauthorization Act of 2009, now pending before Congress, includes the Express Carrier Employee Protection Amendment, which provides equal application of federal labor laws to employees who perform the same tasks and job functions at different express carrier companies. It seeks equal treatment by applying, in the case of companies which have employees in both ground and air transportation, the provisions of the NLRA to the employees in ground transportation and the RLA to employees in air transportation; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to enact the FAA Reauthorization Act of 2009 with language that treats all employees of the express carrier industry equally under the federal labor laws; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.