

Senate Republicans Unveil Ambitious Labor Reform Package: What Employers Should Know

Insights

11.19.25

A group of key Senate Republicans just introduced a slate of bills that, if passed, would significantly reform US labor law and change the landscape for employers across the country. Senate Health, Education, Labor, and Pensions (HELP) Committee Chair Bill Cassidy (R-LA) was joined by Sens. Jim Banks (R-IN), Tommy Tuberville (R-AL), and Tim Scott (R-SC) on November 10 in putting forth the remarkable legislative package to modernize labor policies, many of which have not been updated for decades. What bills were included in this legislative effort, and what are the chances of each becoming law? We break down answers to those questions below.



Worker Reforming Elections for Speedy and Unimpeded Labor Talks (RESULTS) Act (S.3117) (Sen. Cassidy)

This bill would require all union elections to be conducted by secret ballot, a feature that organized labor typically opposes in favor of “card check” recognition, through which unions may obtain legal representation status upon obtaining signed authorization cards from a majority of bargaining unit members. The legislation would also preclude union certification unless at least two-thirds of the bargaining unit participates in the underlying representation election, up from the simple majority that is currently required. If enacted, the Worker RESULTS Act would also increase the window period during which workers may vote on continuing their relationship with their union from 30 days to 90 days, per a committee legislative summary.

Note: Some provisions of this bill are in direct competition with the Sen. Josh Hawley's (R-MO) [Faster Labor Contracts Act](#), which has faced backlash from business groups and praise by the Teamsters.

NLRB Stability Act (S. 3115) (Sen. Cassidy)

The stated goal of the NLRB Stability Act is to improve legal consistency at the National Labor Relations Board (NLRB). It would require the agency to follow binding precedent from the US Court of Appeals in the circuit where a case arises, a move that advocates say would tamp down on the partisan back-and-forth on the national level. Critics argue the move could splinter federal labor law by forcing the Board to apply different standards in different regions. S. 3115 would also bring an end to the “non-acquiescence doctrine,” which has been utilized by the NLRB as a basis for declining to follow a lower federal court's decision in subsequent cases.

Fairness in Filing Act (S. 3116) (Sen. Cassidy)

This bill seeks to address a backlog of cases at the NLRB following budget constraints and the lack of a quorum that has existed for much of 2025. The proposed legislation would tighten the supporting documentation requirements for filing unfair labor practice (ULP) charges with the agency, allowing the Board to focus on cases with merit while disregarding cases that may have been filed as a delay tactic. Under the bill, workers would be required to include supporting evidence up front in the form of an affidavit, email, or photo. If supporting documentation is not included, parties would need to formally provide an explanation.

Union Members Right to Know Act (S. 3114) (Sen. Cassidy)

This bill, co-sponsored by Sens. Marsha Blackburn (R-TN), Joni Ernst (R-IA) and Tommy Tuberville (R-AL), aims to build on precedent established by the Supreme Court's 1988 *Communication Workers of America v. Beck* decision (which held that private-sector employees covered by a union-security clause can be required to pay only that portion of union dues tied directly to collective bargaining and representation – not for political or other non-representational activities). The bill would also mandate that unions inform members of their right to opt out of dues used for political causes. Additionally, it would require that organized labor obtain annual written consent before spending member funds on non-bargaining activities.

Protection on the Picket Line Act (S. 3124) (Sen. Tuberville)

This bill would allow employers to discipline employees who engage in workplace harassment of their colleagues without triggering a ULP charge.

Note: Sen. Tuberville is currently running for Alabama governor (where he is currently the frontrunner to replace outgoing Governor Kay Ivey) and may not be in the Senate after this Congress.

Worker Privacy Act (S. 3128) (Sen. Scott)

This bill aims to protect workers' personal data throughout the unionization process by prohibiting unions from using it for political or non-organizing purposes after an election. The legislation mirrors the privacy provision included in the Employee Rights Act, which Senator Scott introduced earlier this year.

Put American Workers First Act (Sen. Banks)

Perhaps the most controversial piece of legislation included in the Senate GOP's labor reform package is Sen. Banks' Put American Workers First Act. While the bill text has not been published yet, the Indiana lawmaker's proposal would make it an unfair labor practice to hire or unionize undocumented immigrants.

What's Next?

With all that's going on in Washington, D.C. these days, lawmakers are constantly balancing multiple priorities. In the case of the Senate HELP Committee:

- GOP policymakers are focused on the continued confirmation of the Trump Administration's labor nominees to positions across the federal government, including the Labor Department, the NLRB, the EEOC, and more.
- Chair Cassidy led a GOP-backed initiative in July focused on providing portable benefits to millions of independent workers that he still hopes to push through the upper chamber.
- Meanwhile, both parties have expressed interest in reauthorizing the Workforce Innovation and Opportunity Act (WIOA) after it fell short last Congress.
- And, of course, federal lawmakers are already working on finalizing the must-pass appropriations bills needed to keep the government funded through the remainder of the fiscal year.

In summary, Republican lawmakers' latest legislative proposal certainly faces better odds of passing under GOP control, but faces an uphill battle given competing priorities and possible defectors like Sen. Hawley.

Conclusion

We will continue to monitor developments in the Senate's labor reform package as well as other bills moving through the legislative process. Make sure you are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information. If you have questions, contact your Fisher Phillips attorney, the authors of this Insight, or any attorney on our [Government Relations team](#) or [Labor Relations team](#).

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