



March 22, 2023

Dear Members of the Senate Labor Committee:

Our organizations represent tens of thousands of employers and workplaces across the state of Minnesota. These are businesses of all shapes and sizes, in all parts of the state, who provide good-paying jobs to hundreds of thousands of Minnesotans. Our members work hard to care for their employees and communities.

Respectfully, our organizations oppose Section 26 in the A5 amendment to SF 1384 (SF 2476; Sen. Mohamed). These provisions are a clear infringement on private employer speech rights, conflicts with rights under the National Labor Relations Act, and would suppress critical communication that benefits both employer and employee.

Free and open communication is essential to proper workplace management, maintaining a productive workplace, and creating a collaborative environment. These provisions contain an overly broad and functionally impractical definition of "political matter" that would prevent the discussion of a wide range of issues of vital importance in the workplace.

For instance, forbidding discussion of legislative or regulatory changes would have stifled the ability of employers to communicate with their employees about critical and rapidly evolving regulations and mandates during the COVID-19 pandemic. It would also restrict important discussions about workplace safety, employment conduct regulations, and other matters of public policy that impact the operations and future of a business.

Moreover, United States Supreme Court has, for nearly 80 years, upheld the right of employers to speak with their employees about unionization and found that Congress specifically intended to "encourage free debate on issues dividing labor and management." *Chamber of Commerce v. Brown*, 554 U.S. 60 (2008), citing *Thomas v. Collins*, 323 U.S. 516 (1945) and *Linn v. Plant Guard Workers*, 383 U. S. 53, 62 (1966).

Ultimately, this proposal's gag order will erode collegiality, collaboration, and communication in the workplace, and will subject taxpayers to needless and costly litigation for years to come.

Respectfully, we oppose Section 26 in the A5 amendment to SF 1384 and urge you to remove this section.

Alexandria Lakes Area Chamber of Commerce
Associated Builders and Contractors of MN/ND
Brainerd Lakes Chamber
BankIn Minnesota
Fergus Falls Area Chamber of Commerce
Hermantown Area Chamber of Commerce
Hutchinson Area Chamber of Commerce
Housing First
Marshall Area Chamber of Commerce
Midwest Food Processors Association (MWFPA)
Minnesota AgriGrowth Council
Minnesota Business Partnership

Minnesota Chamber of Commerce
Minnesota Grocers Association
Minnesota Pork Producers Association
Minnesota Retailers Association
Minnesota Truckers Association
Minnesota Utility Contractors Association (MUCA)
National Federation of Independent Businesses (NFIB)
Tri-State Manufacturers Association (TSMA)
Willmar Lakes Area Chamber of Commerce
Winona Area Chamber of Commerce