

**Congress of the United States**  
**Washington, DC 20515**

July 21, 2006

Robert J. Battista  
Chairman  
National Labor Relations Board  
1099 14th St. NW  
Washington, DC 20570

Dear Mr. Battista:

We write regarding the recent decision by the National Labor Relations Board (NLRB) to restrict deliberation of the "Kentucky River" cases to written testimony only. We are deeply concerned that the Board would approach such an important case without the consideration of both written and oral testimony.

As you know, "supervisors" are not protected under the National Labor Relations Act which secures basic labor rights for all other workers. The significance of the "Kentucky River" cases is paramount to our nation as it would redefine the term "supervisor" to include those skilled workers who sometimes instruct co-workers. Should the Board decide to broaden the definition of "supervisor," thousands of employees would lose their contract protections and their collective bargaining rights. It would affect employees in a wide range of industries.

The "Kentucky River" cases are some of the most significant in recent history for the NLRB. At a time when working people are squeezed as never before, it is the NLRB's responsibility to consider all evidence and to provide the greatest degree of procedural fairness and openness as possible. Given the gravity of the matter, any consideration of a change in the definition of "supervisor" should be made with all forms of testimony available. While the Board does not often hear oral arguments, we believe that this case requires the most extensive procedural protections. Therefore, we urge the Board to decide the case not only on the basis of written testimony, but to hear oral arguments, as well.

Thank you for your time and we look forward to your response.

Sincerely,

*Erin L. Engel* *Ron J. DeLaur* *Jan Schukowsky*

Cole E. Childs

Walter D. Davis

Lynn Woodsey

Carolyn McCarthy

Dennis J. Kucinich

David Wu

Rail M. Grijahn

Teri Ryan

Tim B

Harry L. Ackerman

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Ben Covi

Paul Blumenau

John Long

Stephen D. Hysel

Frank Pelloni Jr.

Jim Quinn

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Jeff Arnold

Mike Dore

Jim Kuchler

Ben Henson

Alvin G. B. B.

Hynd Doggett

Pete Stark

Robert Wash

Red Strickland

Albert R. Lynn

Nita M. Loney

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Tom Lanto

Deirdre Jackson Lee

Ann. Johnson

Shirley A. McPhilly

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David Price

Paul R. Karginis

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Donald Payne

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Jim Moran

Peter J. Volody

Benny Frank

Jim Obusta

Mary Kaptun

Mr. V. Gutierrez

Barry Cooper

Steven III Hama

Doris O. Matsui

Mr. Mr.

Mr. Kengill

Shirley Ann

Bob Kline

Wanda

Allyson J. Schwarty

John W. Oliver

Jim M<sup>s</sup> Bennett

Brad Green

Sam Fan

Billy M<sup>s</sup> Miller

Briz Bird

Tony Baldwin

Al Green

Michael Capucini

Joe Cooper

Neil Abercrombie

Ben Chandler

Tim Holden

Jane Hamm

Laurie M Slaughter

William H. Hubert

Norm Diebs

Bill Pascullo

Lane Evans

Jodi E. Senant

Sandra Perri

Nit Rebell

Robert Holt

Laura Gunn

Bess Amick

Julia Carson

Rud Holt

Wm. Lacy Clay

Shelley Berkley

Ron Kind

Patrick J. Kennedy

Judd Nadler

Joseph Crowley

John Lewis

Rob A. Brady

Lincoln E. Watson