To amend the National Labor Relations Act and the Labor Management Relations Act, 1947 to deter labor slowdowns and prohibit labor organizations from blocking modernization efforts at ports of the United States, and for other purposes.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Preventing Labor Union Slowdowns Act of 2023” or the “PLUS Act of 2023”.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SEC. 2. DETERRENG LABOR SLOWDOWNS AND PROHIBITING LABOR ORGANIZATIONS FROM BLOCKING MODERNIZATION AT PORTS.

(a) Amendments to the National Labor Relations Act.—

(1) Findings and policy.—Section 1 of the National Labor Relations Act (29 U.S.C. 151) is amended by adding at the end the following: “International trade is one of the most important components of the economy of the United States and will likely continue to grow in the future. In order to remain competitive in an increasingly competitive global economy, it is essential that the United States possess a highly efficient and reliable public and private transportation network. The ports of the United States are an increasingly important part of such transportation network. Experience has demonstrated that frequent and periodic disruptions to commerce in the maritime industry in the form of deliberate and unprotected labor slowdowns, or impediments to modernization, at the ports of the United States have led to substantial supply chain and economic disruptions, interfering with the free flow of domestic and international commerce and threatening the economic health of the United States, as well as its citizens and businesses. Such frequent and periodic disruptions to commerce in the maritime industry hurt the reputation of the United
States in the global economy, cause the ports of the United States to lose business, and represent a serious and burgeoning threat to the financial health and economic stability of the United States. It is hereby declared to be the policy of the United States to eliminate the causes and mitigate the effects of such disruptions to commerce in the maritime industry and to provide effective and prompt remedies to individuals injured by such disruptions.’’.

(2) DETERRING LABOR SLOWDOWNS AT PORTS.—The National Labor Relations Act is amended—

(A) in section 2 (29 U.S.C. 152), by adding at the end the following:

“(15) The term ‘employee engaged in maritime employment’ has the meaning given the term ‘employee’ in section 2(3) of the Longshore and Harbor Workers’ Compensation Act (33 U.S.C. 902(3)).

“(16) The term ‘labor slowdown’—

“(A) includes any intentional effort by employees to reduce productivity or efficiency in the performance of any duty of such employees; and

“(B) does not include any such effort required by the good faith belief of such employ-
ees that an abnormally dangerous condition ex-
ists at the place of employment of such employ-
es.”; and

(B) in section 8(b) (29 U.S.C. 158(b))—

(i) in paragraph (6), by striking
“and” after the semicolon;

(ii) in paragraph (7), by striking the
period at the end of the matter following
subparagraph (C) and inserting a semi-
colon; and

(iii) by adding at the end the fol-
lowing:

“(8) in representing, or seeking to represent,
employees engaged in maritime employment, to en-
ge in a labor slowdown at any time, including
when a collective-bargaining agreement is in effect;
and”.

(3) PROHIBITING LABOR ORGANIZATIONS FROM
BLOCKING MODERNIZATION AT PORTS.—Section
8(b) of the National Labor Relations Act (29 U.S.C.
158(b)), as amended by paragraph (2)(B), is further
amended by adding at the end the following:

“(9) in representing, or seeking to represent,
employees engaged in maritime employment, to—
“(A) impede or attempt to impede modernization efforts at a port, which thereby interferes with or otherwise impedes economic activity in relation to the national supply chain; or

“(B) interfere with or otherwise impede the servicing of any automated vessel operating without a crew.”.

(4) Preventing unfair labor practices.—

Section 10(l) of the National Labor Relations Act (29 U.S.C. 160(l)) is amended in the first sentence, by striking “or section 8(b)(7)” and inserting “or paragraph (7), (8), or (9) of section 8(b)”.

(b) Amendments to the Labor Management Relations Act, 1947.—Section 303 of the Labor Management Relations Act, 1947 (29 U.S.C. 187) is amended—

(1) in subsection (a), by striking “in section 8(b)(4)” and inserting “under paragraph (4), (8), or (9) of section 8(b)”;

(2) in subsection (b), by adding at the end the following: “With respect to any unfair labor practice under paragraph (8) or (9) of section 8(b) of the National Labor Relations Act (29 U.S.C. 158(b)), the damages recovered shall be in an amount equal to 2 times the amount of damages sustained and the
cost of the suit shall include any reasonable attorney
fees and expert witness fees.”; and

(3) by adding at the end the following:

“(c) In an action for damages resulting from a viola-
tion of section 8(b)(8) of the National Labor Relations
Act (29 U.S.C. 158(b)(8)), it shall not be a defense that
the injured party has, in any manner, waived, or pur-
ported to waive, the right of such party to pursue mone-
tary damages relating to the labor slowdown at issue—

“(1) in connection with a contractual grievance
alleging a violation of a clause prohibiting a strike,
or a similar clause, in a collective-bargaining agree-
ment; or

“(2) in connection with an action for a breach
of such a clause under section 301.”.