



# INSTITUTE for the American Worker

## No Tax Breaks for Union Busting Act

Bill name: No Tax Breaks for Union Busting Act  
[S. 4192](#), Sponsored by Sen. Bob Casey (D-PA)

**Summary:** Senate Democrats are seeking to amend the Internal Revenue Code to reclassify any business expenditures spent on union avoidance activities as “political speech.” This would prevent businesses from taking a tax deduction on those expenses. The intent, as stated by the bill authors, is to penalize employers that wish their workplace to remain union-free- this involves lawful actions fully permitted within the National Labor Relations Act (NLRA) such as educating employees about what unionization would mean for them.

Sen. Bob Casey (D-PA) introduced the “[No Tax Breaks for Union Busting Act](#)” on May 12, 2022, and it received quick endorsement from a host of labor organizations, including [AFL-CIO](#), [TWU](#), [United Steelworkers](#), [IFPTE](#), [SEIU](#), and [AFSCME](#).

### Inside the Bill:

- The bill text defines anti-union activity as “any attempt to influence the taxpayer’s employees with respect to labor organizations or labor organization activities, including with respect to the opinion of such employees regarding such organizations or activities.”
- At a press conference unveiling the bill, Sen. Chris Van Hollen (D-MD), described some of the specific actions targeted by the bill: “isolating union organizers from workers, advertising campaigns to dissuade workers from voting for a union, and so-called Captive Audience meetings.”
- Interestingly, even though the AFL-CIO [says](#) the bill would “balance the playing field,” it *would* allow tax deductions for business expenses related to assisting a labor organization in unionizing the business’s own workforce. A business could continue to write off the costs of *voluntarily* recognizing a union (thereby preventing workers a secret ballot union election). The legislative text also exempts from these changes “amounts paid or incurred by a labor organization”.

Rather than “balance the playing field,” S. 4192 seeks to twist the tax code to reward unions and punish businesses large and small and workers that would rather not be involved with a labor union.

**Bill Status:** S. 4192 was introduced on May 12, 2022, and referred to the Senate Finance Committee.