



Fairness in Filing Act

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[S. 3116](#), Sponsored by Sen. Bill Cassidy (R-LA)

The Fairness in Filing Act would reform unfair labor practice (ULP) procedures under the National Labor Relations Act (NLRA) by tightening the standards under which ULP charges can be filed with the National Labor Relations Board (NLRB). A fact sheet provided by the Senate Committee on Health, Education, Labor, and Pensions majority notes that “Unfair labor practice charges are often filed to gain leverage, exert pressure, or extend timelines during negotiation and unionization efforts.” These frivolous or bad-faith filings can impose legal costs and undermine workplace stability.

This legislation would amend Section 10(b) of the NLRA to impose a “good faith” filing requirement and require supporting documentation at filing. It would guarantee the charged party an opportunity to inspect and test the evidence the Board will rely upon in assessing the ULP claim prior to a hearing. Violations for filing bad-faith or frivolous charges would be punished, per the legislation, “by a fine of not more than \$5,000.”

The Fairness in Filing Act could streamline NLRB caseloads by filtering out unsupported claims and letting the Board focus on substantive disputes.

Bill Status: The Fairness in Filing Act was introduced on November 6, 2025 and referred to the Senate HELP Committee. A [hearing](#) on this and related legislation was held on October 22, 2025, at which IAW president Vincent Vernuccio testified. More on that hearing can be found below.

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