

# The Faster Labor Contracts Act: A Solution in Search of a Problem

*An Analysis of 2025 Decertification Elections,  
FMCS Contract Data, and NLRB Election Records*

## Executive Summary

Proponents of the Faster Labor Contracts Act argue that employers stall first-contract bargaining in hopes that frustrated employees will eventually vote to decertify the union. This report tests that claim against federally reported election and contracts data. We examined all 124 decertification elections held in 2025 to determine how many involved workplaces where no collective bargaining agreement was ever reached.

**Key Finding:** Most decertification elections occur at workplaces where a collective bargaining agreement was already in place, not where first-contract negotiations stalled. **In 2025 only 8 of these cases—6.5% of all decertification votes last year—resulted in the union being voted out.** Only 18 of 124 decertification elections (14.5%) fit the pattern of a union winning an election and then facing decertification without ever achieving a contract.

## 1. Data Sources and Methodology

### Data Sources

This analysis links three federal datasets:

**Decertification Election Records:** 124 decertification elections (RD docket type) held between January and December 2025, including employer name, union name, state, petition date, election date, and outcome.

**FMCS Contract Data:** Derived from F-7 Notice of Bargaining filings with the Federal Mediation and Conciliation Service. Covers contract expirations from 2015 through 2025, representing approximately 130,000 unique contract records after deduplication across reporting periods.

**NLRB Representation Election Records:** 11,010 union-won representation elections (RC docket type) from 2015 through 2025.

## Matching Methodology

Each decertification election was searched against the FMCS contract data using multiple methods: exact normalized employer name matching, substring containment (e.g., “First Student Granite City” matching to “First Student Inc.”), DBA name resolution, and token-based fuzzy matching. Employer names were normalized by converting to uppercase, removing common suffixes (Inc., LLC, Corp., etc.), and stripping punctuation. Union names were mapped to canonical identifiers through a manually constructed crosswalk. All matches were audited and four false positives from fuzzy matching were excluded.

Decertification elections with no FMCS contract match were then cross-referenced against the NLRB representation election data to determine whether a prior organizing election had been won at the same employer.

## 2. Findings

### Most Decertification Elections Involve Workplaces with Prior Contracts

Of 124 decertification elections held in 2025, we categorized each by whether a collective bargaining agreement could be found in FMCS records and whether a prior representation election appeared in NLRB data. We summarize these categories in Table 1:

Category	N	%	Decertified	Decert Rate
Prior contract with same union	53	42.7%	33	62.3%
Prior contract, different union at same employer <sup>1</sup>	16	12.9%	9	56.3%
No contract, no prior RC in data*	35	28.2%	17	48.6%
No contract, prior RC win, same union	18	14.5%	8	44.4%
No contract, prior RC, different union	2	1.6%	2	100%
<b>Total</b>	<b>124</b>	<b>100%</b>	<b>69</b>	<b>55.6%</b>

*Table 1. Contract Status and Decertification Outcomes, 2025 (n=124)*

\* Most likely long-standing bargaining relationships with non-filed F-7 notices (see discussion below).

The first two rows of Table 1—totaling 69 cases (55.6%)—represent decertification elections where we can confirm a collective bargaining agreement was on file with FMCS. These are workplaces where the parties had a functioning contractual relationship, and employees nonetheless chose to hold a decertification vote.

<sup>1</sup> In these 16 cases the union on the contract reported to FMCS was different than the one on the decertification petition. We count these as prior contract relationships even though the unions are different for two reasons. First, not all contracts are reported to FMCS (like those in row 3) so they would be counted there if we didn't separate them here. Second, since the company clearly negotiates other labor agreements at the same location it is highly unlikely that these are situations where they refused to bargain a contract with this one bargaining unit. Either way, there was no prior RC election during the prior 10-year period.

The third row—35 cases (28.2%)—represents decertification elections where no contract appears in FMCS data and no prior representation election appears in NLRB records going back to 2015. As discussed in Section 3 below, these are most likely long-standing bargaining relationships where the original certification predates 2015 and the parties never filed an F-7 notice with FMCS.

The combined share of decertification elections occurring at workplaces where we conclude a contract was previously in place is approximately 84%—representing the first three categories in Table 1.

## The “Stalling” Scenario: 18 Cases, 8 Decertifications

The Faster Labor Contracts Act is a solution in search of a problem, based on the false narrative that employers routinely drag out first-contract bargaining until frustrated employees petition for decertification. If this were a widespread driver of decertification elections, we would expect to find a large share of decertification elections at workplaces where a union won a representation election but no contract followed.

The data does not support that expectation. In 2025 only 18 of 124 decertification elections (14.5%) fit this pattern: a prior RC election win by the same union is documented in NLRB records, but no corresponding contract appears in FMCS data.

**Of those 18, only 8 resulted in the union being voted out.** In the remaining 10 cases, employees voted to retain the union despite the absence of a contract. The 44.4% decertification rate in this group is notably lower than the 62.3% rate among workplaces where a contract had been in place.

The “employer stalls, union gets decertified” scenario accounts for 8 out of 124 decertification elections—6.5% of the total. Even using the broadest possible definition of the stalling narrative (all 18 cases where no contract was found after an election win, regardless of outcome), the figure is only 14.5%.

## Timeline in the 18 “No Contract” Cases

Among the 17 of these 18 cases where the time gap could be measured,<sup>2</sup> the median time from the original representation election win to the filing of the decertification petition was 581 days (approximately 19 months). Seventy-one percent of decertification petitions were filed within two years of the election win, and 82% within three years. These are summarized in Table 2:

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<sup>2</sup> Two additional cases (ADT LLC/CWA/MI and Caney Fork Electric Cooperative/IBEW/TN) had confirmed prior RC wins, but the time gap could not be precisely measured. ADT was decertified; Caney Fork was not.

Employer	Union	ST	RC Win	RD Petition	Gap	Outcome
Tann Electric	IBEW	KS	2024-05	2025-06	379d	Company
Kansas City PBS	CWA	MO	2024-01	2025-01	380d	Company
Rec. Equipment (REI)	UFCW	IN	2024-02	2025-02	381d	Union
Imperial Dade	IBT	FL	2024-05	2025-07	410d	Company
Jewish Family Svcs.	CWA	MO	2024-07	2025-08	419d	Union
Duke Raleigh Hosp.	IUOE	NC	2024-01	2025-04	445d	Union
Dragonfly Wellness	UFCW	UT	2023-09	2024-12	446d	Company
Rove Pest Control	CWA	MN	2023-09	2024-12	473d	Union
Story Cannabis Co.	UFCW	MD	2023-10	2025-05	581d	Union
Sutter Davis Hosp.	Nurses	CA	2023-08	2025-03	586d	Union
Caney Fork Elec. Coop.	IBEW	TN	2023-03	2025-01	703d	Union
Nouryon Chemicals	USW	TX	2023-01	2025-01	721d	Union
Doosan Bobcat	USW	MN	2023-03	2025-07	849d	Company
New Seasons Market	NSLU	OR	2022-09	2025-07	1,050d	Company
X-L Plastics	IUJAT	NJ	2021-11	2024-12	1,109d	Union*
Sunnyside/Cresco	UFCW	OH	2022-02	2025-06	1,231d	Union
Herzog Transit	IBEW	MO	2019-01	2025-03	2,263d	Company

*Table 2. The 18 Decertification Elections with a Prior RC Win and No Contract (17 of 18 with measurable gap). "Company" = union decertified. "Union" = union remained representative.*

### 3. Why the 35 Unmatched Cases Are Likely Prior-Contract Workplaces

Thirty-five decertification elections had neither a contract in FMCS data nor a prior representation election in NLRB records for the 2015–2025 period. Several lines of evidence indicate that the most likely explanation is that these are long-standing bargaining relationships where the parties simply never filed the required F-7 notice with FMCS.

**Decertification itself implies a pre-existing bargaining relationship.** A decertification petition is filed by employees seeking to remove a union that currently represents them. The union was previously certified as the exclusive bargaining representative. While not all certified unions achieve a contract, relationships that persist long enough to generate a decertification vote—and that lack any RC election in a full decade of NLRB data—are most likely established, contract-holding arrangements.

**F-7 filing is only enforced through strike protection.** Section 8(d)(3) of the NLRA requires parties to notify FMCS of upcoming contract expirations. However, the only

consequence of non-filing is that any subsequent strike would be unprotected under Section 8(d)(4), exposing strikers to discharge. There is no fine, audit, or separate enforcement mechanism. For small bargaining units where a strike is unrealistic—and many of these 34 cases involve small employers such as pest control companies, glass shops, cemetery associations, and dispensaries—the incentive to file is minimal.

**The 21,000 annual F-7 filings fall far short of the estimated universe.** The FMCS reports approximately 21,000 F-7 filings per year. BLS estimates that roughly 8 million private-sector workers are covered by collective bargaining agreements. Using median bargaining unit sizes from the data (50–80 workers), that implies 100,000–160,000 active bargaining relationships, with around one-third renewing annually. The 21,000 filings account for only about 40–65% of the estimated annual renewal volume (labor agreements typically last 3 years).

**Absence from both databases simultaneously is telling.** Our matching methodology successfully identified employer matches across databases despite name variations for the 18 confirmed “won election, no contract” cases. The 35 remaining cases appear in neither the FMCS system nor the NLRB election database. Simultaneous matching failure across two independent federal systems is less probable than a straightforward explanation: pre-2015 certification (no RC record) combined with non-filing (no FMCS record).

## 4. Conclusion

The data does not support the claim that employer stalling on first contracts is a primary driver of decertification elections. The overwhelming majority of decertification elections in 2025 occurred at workplaces where a collective bargaining agreement was already in place—either confirmed through FMCS filings (55.6%) or strongly implied by the absence of any prior organizing election in a decade of NLRB data (an additional 28.2%). In these cases, the decision to seek decertification followed a period of experience under a union contract, not a failure to obtain one.

Only 18 of 124 decertification elections (14.5%) involved workplaces where a union won a representation election but no subsequent contract appeared in federal records. Even within this small group, the union survived the decertification vote more often than not—only 8 of the 18 (44.4%) resulted in the union being voted out. Those 8 cases represent 6.5% of all decertification elections.

Proposals like the Faster Labor Contracts Act, premised on the idea that employers systematically exploit the first-contract process to engineer decertification, must contend with these numbers. The scenario they describe happens but is rare, accounting for fewer than 1 in 15 decertification elections. The far more common pathway to decertification runs through workplaces where a contract was reached, employees experienced union representation firsthand, and then chose to end it.