



Testimony in Support of House Bill 1704 New Hampshire House of Representatives Labor, Industrial, and Rehabilitation Services Committee

Chairman Creighton and Members of the Committee,

My name is Matt Gress, and I'm the Vice President of Government Affairs for Americans For Fair Treatment, a national nonprofit organization that advocates for worker freedom, transparency, and fairness in public-sector workplaces. I'm pleased to provide written testimony for House Bill 1704—The Public Employee Choice Act—sponsored by Representative Brian Labrie.

House Bill 1704 is a pro-worker bill. It is not anti-union. It does not eliminate collective bargaining or restrict union membership. Instead, it recognizes that a one-size-fits-all system does not work for every worker or every employer. HB 1704 simply gives public employees the option to negotiate directly with their employer when that approach better reflects their skills, goals, or life circumstances.

That flexibility benefits workers and employers.

Public employers are competing for talent in high-demand fields — from education and technology to specialized administrative roles. HB 1704 allows employers to better use their resources by offering pay structures or incentives that reflect real workforce needs, rather than being bound exclusively to rigid agreements that may not address shortages.

At the same time, this bill does not force complexity. Employers can still offer independent-bargaining employees terms that mirror existing collective bargaining agreements. The key principle here is choice — choice for the worker and choice for the employer.

This approach also respects unions and their resources. When an employee chooses to bargain independently, the union is no longer required to represent that worker in grievance or disciplinary proceedings, allowing unions to focus their time and energy on members who value that representation.

Much of the opposition to worker choice centers on concerns about so-called “free riders.” Following the *Janus v. AFSCME* decision, New Hampshire union leaders openly expressed concern about being required to provide representation to non-members. The President of the New Hampshire AFL-CIO described the ruling as requiring unions to provide representation “for free,” arguing it would make it “virtually impossible for workers to hold employers

accountable.”¹ Another union leader called the decision “a blow to the middle class,” warning it would divide workers.² HB 1704 offers a more balanced solution — respecting worker choice while reducing unnecessary strain on unions.

The research also reveals operational benefits from direct negotiation. A 2025 Boston University study³ examining teacher layoffs in Connecticut found that seniority-based policies disproportionately impact recently hired teachers — who are just as likely to be high-performing, more likely to teach in high-needs schools, more likely to be teachers of color, and more likely to hold credentials in shortage areas like special education and English as a Second Language. These policies often push out exactly the workers public institutions most need to retain.

House Bill 1704 reflects a modern, balanced approach rooted in choice, flexibility, and fairness — benefiting employees, employers, and unions alike.

I respectfully urge the Committee to support this important worker-freedom legislation.

Sincerely,

Matt Gress
Vice President of Government Affairs
Americans For Fair Treatment

¹ [NH AFL-CIO President Glenn Brackett Statement on U.S. Supreme Court Janus Decision | New Hampshire AFL-CIO](#)

² [SCOTUS Ruling On Unions Hailed By N.H. Right To Work Supporters | New Hampshire Public Radio](#)

³ [Impact of Seniority-based Layoffs on Educator Equity and Workforce Stability. Boston University. Wheelock Education Policy Center. \(2025\).](#)