

THE FASTER LABOR CONTRACTS ACT: **ADVANCING THE UNION DEI AGENDA**

OPENS DOOR FOR SPREAD OF DEI



September 2026

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Unions bargain for many different issues in their contracts. But outside of core subjects like wages, benefits, and work rules, employers don't have to accept unrelated issues. That could all change if the union-backed Faster Labor Contracts Act (FLCA), H.R. 5408 and S. 844,^{1 2} becomes law. The bill would empower the federal government to impose an initial collective bargaining agreement on workers and employers without a vote.

Under the bill, if no first contract between an employer and a new union is reached after a compressed bargaining period of just 120 days, the government will appoint a panel of arbitrators who would write a first contract and impose it on both parties. Workers would get no vote and there are no appeal rights.

Unions could easily abuse this process to slip in contract provisions that are completely at odds with the President's agenda, such as diversity, equity and inclusion (DEI) programs that have raised serious civil rights law concerns, transgender protections and restrictions on cooperation with immigration enforcement officials. Several examples of real-world contract language are listed below.

The bill has already passed the House 230 to 193 on June 9, 2026³ after successfully being subjected to a discharge petition.⁴ If the FLCA becomes law, this language could start popping up in union contracts across the board, and neither employers, workers, nor the Trump Administration could stop them.

Unite Here International Union

A contract from the Unite Here International Union with ISS Guckenheimer includes the following language on immigration enforcement:

“ARTICLE 5 – IMMIGRATION, DIVERSITY AND CIVIL RIGHTS...

“Section 3. IMMIGRATION RIGHTS IN THE UNITED STATES...

“e. Workplace Immigration Enforcement. To the extent permitted by law, **the Employer will refuse to allow DHS to enter the workplace** without a valid warrant.”⁵

“**The Employer shall not verify non-probationary employees' identities, immigration status, and authorization to work** in the United States or social security numbers **through E-Verify**, the Social

¹ <https://www.congress.gov/bill/119th-congress/house-bill/5408/text>

² <https://www.congress.gov/bill/119th-congress/senate-bill/844>

³ <https://www.congress.gov/votes/house/119-2/216>

⁴ <https://clerk.house.gov/DischargePetition/2026042019>

⁵ <https://www.unitehere24.org/wp-content/uploads/2024/09/ISS-Guckenheimer-Google-CBA-2024-2027.pdf#page=12>

Security Administration's Social Security Number Verification Service, **or any other method** of checking information about employees with any government agency, unless required by law.”⁶

DEI requirements feature heavily in this contract under Article 5:

“Section 5. COMMITMENT TO DIVERSITY, EQUALITY AND INCLUSION.

“The parties agree to work collaboratively together as partners on various Diversity, Equity and Inclusion initiatives, programs, opportunities, and training modules and courses that they mutually identify and agree upon wherein they have shared concerns and/or mutual interests. The purpose and intent of this partnership are to improve the development, execution, and effectiveness of ISS Guckenheimer’s **DE&I strategic agenda**, employee engagement, and business performance. ... **The goal of this committee is to embed the Parties shared commitment to DE&I issues into the front-line experience of the members of the bargaining units.**”⁷

It also imposes requirements related to pronouns and gender identity:

“ARTICLE 9 – GENDER IDENTITY

“Section 1. Names. **The Employer agrees to respect the stated names and pronouns of all employees** regardless of any employment or legal documents. In all public facing documents only the employee’s stated name will be printed. Section 2. Pronouns. **The Employer agrees to print pronouns, as stated by the employee, on the employee’s nametag** if requested by the employee. If the employee notifies the company of a change in pronouns, the company will provide new name tags at no cost.”⁸

SEIU Local 925 Contract with the University of Washington

An SEIU contract with the University of Washington includes language requiring the employer to maintain an affirmative action program to promote individuals from “underrepresented groups”:

“ARTICLE 5 – AFFIRMATIVE ACTION 5.1 Policies. In conjunction with Federal and State laws, regulations, and Executive Orders, **the Employer and the Union agree on the need for an affirmative action program to correct and review any inequities in the employment processes.** The Employer shall implement, monitor, and report on an affirmative action program **requiring the Employer to make special efforts to recruit, employ, retain, train, promote, encourage career development, and transfer qualified members of underrepresented or groups formerly excluded,** even if that exclusion cannot be traced to particular discriminatory actions on the part of the Employer. **The Employer shall also develop or update, implement, monitor, and report on affirmative action goals for hiring and/or promoting members of protected groups** into job classes/categories where it has been determined that underrepresentation exists. The Employer shall make no decisions regarding employment based on membership in any protected class.”⁹

⁶ <https://www.unitehere24.org/wp-content/uploads/2024/09/ISS-Guckenheimer-Google-CBA-2024-2027.pdf#page=13>

⁷ <https://www.unitehere24.org/wp-content/uploads/2024/09/ISS-Guckenheimer-Google-CBA-2024-2027.pdf#page=13>

⁸ <https://www.unitehere24.org/wp-content/uploads/2024/09/ISS-Guckenheimer-Google-CBA-2024-2027.pdf#page=22>

⁹ <https://www.seiu925.org/wp-content/uploads/2025/07/SEIU-925-UW-Wide-Classified-2025-2027-CBA.pdf#page=13>

The contract goes on to talk about DEI and collecting “metrics” on different characteristics of employees:

“ARTICLE 61 – DIVERSITY, EQUITY, AND INCLUSION The parties acknowledge that the University’s Diversity Blueprint for 2022-2026 articulates **the tri-campus community’s aspirations for becoming an inclusive and equitable environment**. On a quarterly basis, the Office of Minority Affairs and Diversity (OMA&D) will **collect reports on University-wide diversity metrics** for the Board of Regent’s Diversity, Equity, and Inclusion subcommittee. An electronic copy of these reports will be made available to the Union. As part of the University’s Strategic Leadership Program (SLP), the Employer shall provide all managers and supervisors of bargaining unit employees information regarding **the University’s existing Staff Diversity Hiring Toolkit**. Additionally, the Employer will include **a content module on implicit bias and diversity in the hiring process** during the SLP workshop for managers and supervisors with at least one direct report. The Employer shall distribute an electronic copy of the Toolkit annually to all managers and supervisors of bargaining unit employees.

“61.1. Reports. On an annual basis, the Employer will provide the Union with the following information relating to Diversity, Equity, and Inclusion: 61.1.1. **A list of trainings and courses offered to staff the year prior centered on aspects of diversity, equity, and inclusion**. The list will include a headcount for each offering, indicating the number of participants registered, by department.”¹⁰

Contract with SEIU Local 73 and a National Laboratory

Other SEIU contracts also require affirmative action programs:

“The Union and the Laboratory recognize that **an Affirmative Action Program** has been established at the Laboratory and that this program **must be effectively administered**. Pursuant to requirements issued by the Office of Federal Contract Compliance, U. S. Department of Labor, **the Laboratory will establish goals and timetables to correct deficiencies if minorities or women are underutilized in the bargaining unit covered by this Agreement**. Underutilization means that the number of minorities and women is less than the proportion available in the workforce in the area.”¹¹

Contract with UAW Local 4100 and a University

The United Auto Workers no longer represents just people building cars and trucks. In fact, it has significant representation on university campuses. And like the SEIU, these contracts include affirmative action language:

“Side Letter: Between Columbia Postdoctoral Workers-UAW Local 4100 and Columbia University Regarding Diversity in Hiring Practices and Inclusivity in the Workplace

“**The University is committed to fostering an environment of diversity, equity, inclusion and belonging** for all our faculty, students, and staff. Accordingly, the University shall convene a Working Group with an equal number of representatives from the Union to **review and discuss measures to continue to promote inclusivity and diverse hiring practices for positions covered by the Agreement** consistent with applicable laws. The Working Group will meet at least twice (2) a year for the term of the contract. This Working Group will also discuss the University’s **continued efforts and**

¹⁰ <https://www.seiu925.org/wp-content/uploads/2025/07/SEIU-925-UW-Wide-Classified-2025-2027-CBA.pdf#page=145>

¹¹ <https://seiu73.org/wp-content/uploads/2020/11/Argonne-SEIU-2022-Clean-COPY.pdf#page=47>

goals in promoting inclusion through increased access and information about gender neutral bathrooms across campuses.”¹²

Chicago Teachers Union Local 1 Contract

The Chicago Teachers Union includes extensive language on DEI, including mandatory training:

“Article 43. Diversity and Inclusion

“43.5. **The Employer shall designate mandatory training sessions for all staff, focused on racial equity, gender equity, and Title IX procedures** approved by the PSC. Additionally, all staff shall receive training on trauma-informed education, at least once per year. The PSC and/or Diversity & Inclusion subcommittee will discuss recommendations for the focus of the training sessions and the vendors/organizations conducting professional development and training.”¹³

UFCW Local 663

Continuing with transgender issues, a standard UFCW contract clause promoted by UFCW Local 663 includes the following language:

“SECTION 8.7: TRANSGENDER WORKERS If any worker is transgender, or intends to or is going through a transition in gender identity (with or without surgery or therapy), chooses to disclose, and asks for employer accommodation:

“A. The Employer and the Union will mutually agree on: • a way to notify co-workers of the worker’s status or transition (the parties’ discussions will include the worker); • creating safe work areas for the worker; • designating at least one restroom as gender neutral; and • **if either party considers it advisable, developing and administering a training for co-workers and managers**, including the schedule for and frequency of the training; • notifying all workers that **transgender workers may use the restrooms and changing rooms designated for the gender they identify with**; and • **requesting everyone at the workplace** or engaged in the Company’s business to speak or **refer to transgender workers by the names they choose and the pronouns they identify with**.

“B. **The Employer will change all legal and financial records so that all records use the names transgender workers choose and the pronouns they identify with when worker provides a government issued ID**. The Company will also update any photographs, including identification badges, unless the worker requests otherwise.”¹⁴

¹² <https://columbiapostdocunion.org/wp-content/uploads/2023/11/Postdoctoral-Workers-CBA-UAW-Local-4100-2023-2026-BOOKMARKS.pdf#page=32>

¹³ https://www.ctulocal1.org/wp-content/uploads/2024/04/CICS_CEP-CTU-CBA-22-26-with-signatures.pdf#page=110

¹⁴ <https://www.ufcw663.org/blog/2024/06/14/protecting-transgender-rights-through-contract-language/>

The UAW's Model Contract Language on Micro-Aggressions

In the UAW's contract to represent Academic Student Employees (ASEs) — typically graduate student workers such as teaching assistants, research assistants, or tutors—there is a section focusing on how to deal with “micro-aggressions”:

“Micro-aggressions are everyday exchanges—including words and actions that denigrate and exclude individuals **based on their membership in a group or class of individuals**. The Union and University shall meet, upon request, up to three (3) times per calendar year to evaluate progress on **the joint goal of eliminating micro-aggressions against ASEs and discuss plans to advance that goal.**”¹⁵

FLCA Opens Door for More DEI

The FLCA is bad legislation for many reasons. But in opening the door for the spread of DEI, non-cooperation on immigration enforcement and promoting gender identity, it goes directly against clear priorities of the Trump administration.

¹⁵ <https://uaw4591.org/ase-contract-24-26/>