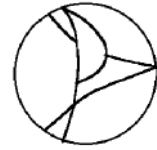


Community Matters



Employee Free Choice Act Protects You

By: **Patricia A. O'Malley**

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The Employee Free Choice Act is a bipartisan proposal to improve the union organizing process and protect workers' union rights. Sen. Edward Kennedy, D-Massachusetts, and Rep. George Miller, D-California, re-introduced the bill to Congress last week. Originally presented in 2007, it passed the House but stopped in the Senate at the end of the 110th Congress.

Now, the 111th Congress will consider the bill. It's H.R. 1409 in the House Education and Labor Committee and S. 560 in the Senate Health, Education, Labor, and Pensions Committee.

EFCA is controversial and hotly debated. Labor unions and advocates strongly favor it. The US Chamber of Commerce and most corporations oppose it. The public relations battle has already begun with TV news programs, advertisements, and a lot of confusion. It amends the National Labor Relations Act by expanding and protecting workers' rights to form unions.

Current law allows employers to decide how their employees will form their union. That choice is between a secret ballot and a consent card system. Almost all employers demand a secret ballot because the law allows them to hold mandatory "education" sessions where they can threaten and intimidate the employees into voting against the union. Those rules don't apply in a card check. And even when the employees do choose a union, the employer does not have to negotiate with that union for a contract. Employers regularly violate the few laws that protect the workers and they get away with it.

The Employee Free Choice Act allows workers to form a union without being fired. EFCA has three provisions. It takes the choice between a secret ballot election and a card-check system away from the employer and gives it to the employees. It guarantees workers a contract when they do form a union. And it increases penalties against companies that break the law. That's all there is to it. You can read it yourself at www.thomas.loc.gov. Insert bill number HR 1409.

The US Chamber of Commerce is the chief opponent. They call it "the card check act" and claim that the bill would outlaw a secret ballot. They claim that the federal government would dictate work rules and pay.

These statements are absolute, outright, LIES. EFCA does not remove the secret ballot. The government would not control union contracts. Union busting organizations have raised more than \$130 million to defeat EFCA. Now, surely they wouldn't do that unless they knew that they would make far more money by eliminating unions. According to the AFL-CIO, Citigroup and Bank of America have used your tax dollars from their government bailouts to lobby Congress to deprive you of your right to form a union.

Capitalism is based on selfishness and exploitation. According to classical economists, Labor (that's you and me) is a product to be bought and sold and treated no better than the furniture. Without regulations and unions, we are all slaves with paychecks. Yet business owners claim the unlimited right to help themselves by forming business associations, chambers of commerce, cartels, and other joint ventures.

Most capitalists have obstructed every effort to treat workers like human beings – the eight-hour day, the five day week, the minimum wage, wage and hour laws, paid overtime, restrictions on child labor, fair hiring practices, health and safety regulations, social security, equal pay, family and medical leave, unemployment compensation, workers' compensation, sexual harassment regulations, environmental regulations, and countless others. They were wrong on those issues and they're wrong about EFCA.

You have all of those protections because of the unions. If you also have paid vacations, sick days, and holidays; pensions, health insurance, personnel policies, a grievance procedure, and lots more, THANK A UNION. You would have none of it without them. Not a single union contract ever prevented an employer from firing an incompetent employee. All union contracts contain a fair disciplinary process so that *you* can't be fired for improper reasons.

Labor unions created the American middle class. When union membership rises, everyone's pay increases and working conditions improve. They're the folks who brought you the weekend. And they're the only ones who have always looked out for your best interests, whether you're a member or not.

While EFCA winds its way through the system, the corporate forces are already swamping Congress with letters, calls, messages, and visits from the people who don't want you to have any rights at work. But we can all help to get the Employee Free Choice Act passed. Call, write, and email Senators Arlen Specter and Bob Casey and Representatives Tim Murphy and Mike Doyle. Remind them that you deserve the same rights that your employer has. Go to www.house.gov and www.senate.gov for contact information.

For more information, go to www.employeefreechoice.org, www.pittsburghunited.org, www.uswa.org, <http://edlabor.house.gov>, and <http://help.senate.gov>.

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