

What's wrong with the system that warrants card-check bill?

THE CHAMBER VIEW

by Pamela Tumpap



This "card-check" bill (the Employee Free Choice Act) is legislation that takes away an em-

ployee's right to a secret-ballot vote when considering union representation; imposes a government "fast-tracking" of union contracts; adds governmental control with provisions for federal arbitrators to negotiate labor contracts; and provides for punitive damages and penalties for companies but not the unions.

As the public is hearing more about this issue, many ask, "What is wrong with the current system?" Nothing, from our perspective, but labor organizations have a different view. They have testified that it is a matter of coercion, saying businesses work to prevent unionizing. While that can happen on both sides, their statements are ironic, since the existing law provides for an election process administered by the National Labor Relations Board. The board ensures that neither side coerces or harasses employees when they choose whether or not to support the union.

The Heritage Foundation reports, "In public, unions argue that card check reveals em-

ployees' preferences more reliably than the private ballot. But in private, union activists acknowledge that workers often sign union cards because of peer pressure or harassment and that publicly signed cards do not reflect workers' true intentions." That is why unions argue against letting workers use a card-check process when they consider leaving a union.

Further, the foundation notes that union-organizing manuals even caution organizers that a worker's signature on a union card does not mean that he or she wants to join a union or will vote for the union in the election. They found that the AFL-CIO's 1961 Guidebook for Union Organizers states: NLRB pledge cards are at best a signifying of interest at a given moment. Sometimes they are signed to "get the union off my back." There is no guarantee of anything in a signed NLRB pledge card except that it will count toward an NLRB election.

In a study of organizing campaigns, the AFL-CIO acknowledged that, "It is not until the union obtains signatures from 75 percent or more of the unit that the union has more than a 50 percent likelihood of winning the election."

So, what is the real motivation behind this bill? The answer is increased union membership. Information from the National Federation of Independent Businesses (NFIB) explains that while union mem-

bership has increased slightly over the past two years, it has fallen since the 1950s. The proportion of private-sector workers that belong to unions has dropped by more than half over the past 25 years, and the NFIB notes that its numbers are at an all-time low that haven't been seen since the early 1900s. Times have changed. It was easier to sell union membership in the days of a manufacturing-based economy, where many of the jobs were similar. Nowadays, jobs are very different, requiring diverse skills and talents that do not lend themselves to broad representation.

This bill will give unions a wide-open membership field. If enacted, the card-check bill will apply to all businesses because there is no meaningful small-business exemption.

According to the Labor Relations Institute Inc., the median-size unit organized today is 28 employees, and half of all organizing elections happen in work groups with just as few employees. However, organizing can take place with as few as two nonmanagement employees.

Glenn Spencer, a vice president of the U.S. Chamber of Commerce, told CNSNews.com, "Today most small businesses aren't a target of union organizing, because the cost-benefit proposition just really isn't there for the unions - they would have to spend time and energy trying to organize these

workers, and the payoff benefit from dues just really isn't there.

"But with this bill, because it makes it so much cheaper and faster for unions to organize, it really takes small businesses and puts them in the cross hairs. I think you would see a substantial increase in unionization activity at small employers, if this becomes law."

Basically, the bill comes down to business, union business. As the private sector looks at ways to expand its markets when business is down, so are the unions. They have been working on this legislation for years, seeing it as a top priority for increasing their membership, and are looking for government to give them an unbelievable edge.

Our view is that the legislation is unnecessary and bad for business. The current system is a more equitable and fair way to address union organizing. It allows for employees to receive information from both sides and then make their choice in private.

This bill is being heard on the state and national levels. The time for action is now. Go to www.mauchamber.com for contact information for our elected officials, and get in touch with them today to oppose this legislation!

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