

Employee Free Choice Act: Shifting the Balance of Power

By Joseph Schmid

The American working class is the backbone of our great country. Through their labor and perseverance, America has become a leader in the free world. Yet, ironically, it is these very workers' freedom of choice that is endangered today. American workers are not truly free to choose to unionize. Companies use harassment and intimidation to keep their employees from unionizing, thus keeping the non-union worker earning less, and many times receiving no healthcare or guaranteed pension.

Sixty million American workers said they would unionize if they had the opportunity. Unfortunately, one out of every five workers involved in an organizing campaign is illegally fired for union activity. This not only takes leadership away from a union campaign, but frightens and intimidates the rest of the workers. Nearly 75% of companies hire "union-busting" consultants to frighten and deter workers from unionizing. 51% of companies threaten to close plants or move to Mexico if a union is established. They also use scheduling and overtime hours to persuade the worker not to unionize. 92% of private employers force workers to attend closed-door meetings, where employees are bombarded with anti-union propaganda. Although such harassment and firings are illegal, under the current legislation the penalties are so minimal that the company just sees it as the price of doing business their way.

The Employee Free Choice Act (EFCA) is regarded as the most important piece of legislation in nearly seventy years. It removes barriers to union representation, making

it easier for workers in smaller businesses to unionize and receive fair wages and benefits. Currently, there are two methods of forming a union – secret ballot election and majority sign-up. Employers usually choose secret ballot election, which allows them ample time to intimidate, coerce, and fire employees. With the passage of EFCA, the secret ballot election would not be necessary. A majority of workers would simply have to sign cards authorizing union representation. This is a much easier process and less confrontational, where employees experience significantly less coercion, leaving them free to choose to unionize. Under the EFCA, the employees, not the employers, would be free to choose how to unionize – either through secret ballot or majority sign-up.

The EFCA would provide stiffer penalties to companies for illegal firings or threats against employees who try to unionize. Since 44% of companies never reach a first contract agreement, EFCA also provides negotiation support for the first contract; allowing the Federal Mediation and Conciliation Service to mediate after ninety days, and arbitration after an additional thirty days.

With the EFCA, unions would see a dramatic increase in membership. Companies would not have the opportunity to coerce or intimidate workers during the secret ballot process. The sixty million Americans interested in unionizing would now be free to choose to be union strong. Bargaining collectively for healthcare, pensions, and fair wages is the best opportunity American workers have to get ahead in today's economy. Giving more workers the power to form unions will restore economic balance, rebuild the middle class, and improve the lives of American families. By uniting, they would enjoy wages that are 28% higher than non-union workers. They would now be 52% more likely to have healthcare coverage and three times more likely to have a guaranteed

pension. The unionized American working class would become a strong force in our economy, having more money in their pockets to spend on Main Street. Our economy would grow stronger with every dollar they spend. By simply allowing workers free choice on how to unionize, the middle class will be strengthened, our economy will once again grow, and the balance of power will be shifted away from the greedy corporations and back into the hands of our strong union laborers.