



Employee Forced Free Choice Act Will Eliminate Workers' Right to Secret Ballot Election

It is simple, you do it twice a year and it gives you a sense of accomplishment. It's called voting and everyone in our country who is eligible is encouraged to exercise this inalienable right. Secret ballot elections form the fundamental foundation on which our nation was founded. These rights are guaranteed to Americans when they cast their vote in elections for candidates for office.

The unions are promoting a radical piece of legislation called the "Employee Free Choice Act" (EFCA). While the title of the bill sounds quite reasonable, the effect it would have on the rights of workers is devastating. The bill would eliminate an employee's right to a secret ballot election when it comes to deciding on whether to unionize in the workplace. A 2006 national survey by the Opinion Research Corporation found that 75% of Americans chose secret ballot elections as the most democratic method of choosing unionization.

If EFCA becomes law, secret ballot elections would be eliminated and replaced with a form of election called "card check", a system similar to a petition process. Once signed authorization cards are collected from more than 50 percent of the workforce, a union would be designated as the employee representative for purposes of collective bargaining.

The current, secret ballot election process is well balanced. The procedures are supervised by the independent National Labor Relations Board (NLRB). During these elections, there are important restrictions on communications for both employers and union members to ensure there is no coercion or fraud. In the end, majority rules and no matter which side prevails,

individual employees' votes are not disclosed to the employer or the union.

Despite union claims to the contrary, the most recent NLRB statistics available show that unions won more than 60% of the 1,540 elections held from April 2007 to September 2008. In addition, NLRB statistics show that only 6.3% of representation elections conducted during fiscal year 2005 were challenged by either labor or management. NLRB records also reflect that 94 percent of representation elections were held within 56 days. Simply put, the numbers reflect a fair and effective NLRB representation election system.

The unions themselves have recognized the fallacies of the card check system. In *A Guidebook for Union Organizing* published by the Industrial Union Department of the AFL-CIO, states, "NLRB pledge cards are at best a signifying of intention at a given moment. Sometimes they are signed to 'get the union off my back.' In other cases, the employer urges workers to sign the cards to get a premature election. In still others, workers sign to scare the boss into a raise."

We believe that secret ballot elections are the most effective and efficient measure of popular will. Would you want organized labor to take away your right to vote? All American workers deserve the fundamental right of a fair, honest and private election.

That is not all, once organized, EFCA will subject your negotiations with the union to binding arbitration so someone else will likely dictate wages and conditions of employment. Finally, you will be subject to fines of \$20,000 per occurrence for any unfair labor practices that you commit.

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