

ganda. Imagine if we had all been forced to attend a town hall meeting hosted by John McCain? Doesn't sound too democratic, does it?

■ It's quite hard for union organizers to get cards signed. Union organizers can only speak to workers outside of the workplace and even then the employee has to be willing. On the other hand, employers can force workers to speak with them any time, make empty threats to fire everyone or to close the shop, and can illegally punish pro-union workers while promoting anti-union ones.

■ Union organizers have no more power to make you talk to them than a street canvasser trying to get you to sign up for a monthly donation for an environmental group. The bosses, however, hold your job in their hands.

How can we help win passage of The Employee Free Choice Act?

Get involved with DSA, YDS or one of the many community groups working to pass the bill. Make sure your representative, and especially your senators know that you support passage of the bill.



Change the USA. Join the DSA!

www.dsausa.org

Yes, I want to join DSA; enclosed are my dues of:

Supporting \$65 Introductory \$35

Low Income \$20 Student \$20

(Dues include subscription to *Democratic Left*)

Send me more information about DSA!

Name _____

Address _____

City _____ State _____ Zip _____

Email _____

Send to DSA: 75 Maiden Lane, #505, NY, NY 10038

Questions and Answers:

The Employee Free Choice Act

prepared by

Democratic Socialists of America

What is the Employee Free Choice Act?

The **Employee Free Choice Act** (EFCA) is a bill before Congress that would:

- 1) require employers to recognize a union when a majority of employees have signed cards requesting recognition,
- 2) impose stiffer penalties for employers who violate the law during organizing drives, and
- 3) provide for binding arbitration if first contract talks drag on for too long.

In 2007 the House passed the legislation. A majority of senators backed it, but the 51-48 vote was not enough to gain cloture and a vote on the bill itself.

Today, organized labor and allies such as Democratic Socialists of America (DSA) and the Young Democratic Socialists (YDS) consider passage of EFCA a high priority. New political conditions make the passage of EFCA a possibility, but it is far from guaranteed.

How Do Workers Organize a Union Now?

Under current U.S. labor law, workers sign authorization forms (or “cards”) in the hope of getting to the point of an election to authorize a union. The law requires that 30% of workers sign the cards before a government-supervised election be held. Employers may recognize the union when at least “50% plus 1” of employees have signed, but usually they don’t.

Private employers typically insist on an election. There are long delays while the National Labor Relations Board arranges the election. Meanwhile the employer goes to work identifying union supporters and firing them; holding captive-audience meetings of the workforce in which they often threaten that the workplace, if unionized, will close; meeting one-on-one with employees to dissuade them from voting union. Violating the labor relations law poses little risk for employers.

If the union does succeed in winning recognition by election, then employers drag their feet negotiating the first contract, in effect depriving workers of the rights they have legally won.

If the Employee Free Choice Act Passes, What Would Be Different?

A union could still request an election once it has authorization signatures of 30% of the workforce, but once the union gains a majority in the card check, the union would be automatically recognized. Thus there would be less opportunity for union busting. Moreover, union busters would risk real penalties — up to \$20,000. And employers could no longer delay the first contract until the union and workers were emotionally and financially exhausted. Instead, after a few months there would be binding arbitration by an impartial third party.

Why Do We Need Unions?

- Without a union there is no employment security. You can be doing a great job, but your boss can dismiss you, just because someone better-looking showed up in town.
- Without a union, whistleblowers get fired—it happens all the time.
- When you rent an apartment, you sign a lease with the landlord so that the expectations of both parties are clearly laid out and cannot be ignored. A contract between employers and employees should likewise be seen as the normal way to do serious business.
- Substandard working conditions leave workers dependent on publicly-subsidized housing, food pantries, emergency-room medical care. Everyone ends up paying — except the CEOs and shareholders.
- The strength of unions directly correlates to the equality of a society. A stronger labor movement would translate to greater social justice for all.

Why Do We Need the Employee Free Choice Act?

- When workers have to both sign cards and go through an election, they are in effect being forced to vote twice. Once a majority has been achieved by card check, let the majority rule. It’s a bigger majority than we use in elections for government, where we don’t ask for a majority of the voting-age citizenry, only for a majority of those who actually vote.
- *The current system doesn’t work.* The problem is that it makes the vote neither secret nor fair. Employers hire anti-union consulting firms to find out how people are going to vote ahead of time through mandatory one-on-one meetings. While union organizers have no legal right to speak to workers, employers can force workers against their will to hear anti-union propa-