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EMPLOYEE FREE CHOICE ACT (EFCA) “CARD CHECK”

ISSUE

The Employee-Free Choice Act or “Card Check” would waive secret ballot elections after a majority of workers signed cards authorizing a union and require the National Labor Relations Board to certify the union as the sole representative for those workers. Under a card check campaign an employee would typically be given a union authorization card by a union organizer and asked right then and there to indicate whether he or she supports the union. These card check campaigns do not include important protections provided for in law and, as has been demonstrated countless times in actual organizing campaigns, card checks are often accompanied by stories of union coercion, intimidation, and abuse. Equally as troubling as eliminating secret ballots is another provision in the legislation that would require mandatory binding arbitration. Under this legislation, if a first contract is not agreed upon within 120 days, the Department of Labor would institute a two-year contract which would not require consent of either management or labor.

ATA POSITION

Virtually the entire business community is opposed to the legislation. ATA is part of a broad based coalition – the Coalition for a Democratic Workplace – that opposes card check. It would substitute a mandatory card-check system – a system prone to intimidation, retaliation, and coercion – for what is now a democratic secret ballot election process. Under card check, an employee is handed a card, asked to sign and if more than 50% of the employees do so, the company must recognize the organizing union as the bargaining agent. There is no secret ballot election required.

The Coalition for a Democratic Workplace released a national survey that shows increasing public opposition to the EFCA. When given a more detailed description of the proposal, nearly 9 out of 10 voters (86 percent) said the process by which workers would choose union representation should remain private.

STATUS

“The Employee Free Choice Act” was introduced in both the House (HR 1409) and Senate (S 560) on March 10th. The legislation is endorsed by Labor Secretary Hilda Solis.

Good stuff.

