

Employee Free Choice Act restores workplace balance

BY BOB BUSSEL

Over the last month, both the print and electronic media have been blanketed by ads denouncing the Employee Free Choice Act, a proposed piece of legislation that would reform the nation's labor laws and make it easier for private sector workers to obtain union representation.

Seeing these ads prompted me to remember a union organizing campaign I coordinated nearly 25 years ago. Reviewing my thick file of documents on this event, I was reminded of the urgent need to reform labor law and counteract the kinds of abuses I saw workers repeatedly experience during my years as a union organizer.

My union was asked by the mostly Dominican workers at a New Jersey textile factory to help them organize. They believed that having the union would enable them to negotiate improvements in their wages and benefits and protect them from arbitrary treatment by their bosses.

What followed was a series of actions by the employer that can with no exaggeration, be described as a reign of terror.

After a secret ballot election that resulted in a tie vote, an administrative law judge for the National Labor Rela-

tions Board found the employer guilty of the following labor law violations in the weeks preceding the balloting: inducing workers to spy on their fellow employees and report on their union activity, coercively interrogating workers about their union sympathies, threatening to close the plant if the workers voted for a union, reducing or discontinuing customary overtime work for pro-union employees, transferring pro-union voters to undesirable shifts, and discharging several key members of the union's organizing committee.

The labor board attorney presenting the case summarized the impact of the employer's efforts: "If the labor board's goal is to conduct secret ballot elections under 'laboratory conditions,' this laboratory was devising a system for pure, unfettered coercive conditions undiluted by any element of lawful conduct. Under these conditions, it is amazing that the union garnered as many votes as it did."

All too often, as the experience of workers has affirmed repeatedly and numerous governmental and academic studies have documented, employers use these kinds of tactics to deter workers from unionizing. By the time most workers cast their secret ballots

in private sector union representation elections, the atmosphere has been thoroughly poisoned and resembles the circumstances under which elections are conducted in dictatorships or one-party states.

Moreover, the penalties for illegal behavior are minimal, and frequently, employers drag out legal proceedings in order to demoralize workers and exhaust union resources. Indeed, in more than a third of the cases where workers defy the odds and vote for union representation, they do not secure contracts because of employers' success in manipulating the law to their advantage.

In the case of the election I described, it took eight years for all of the employer's appeals to be heard. Following the denial of the employer's final appeal, workers who had been treated unfairly were granted \$375,000 in back pay, although by then, several of the workers could not be located and went uncompensated.

Eleven years after the initial vote, another election was conducted that resulted in a union victory. However, justice was unconscionably delayed and most surely denied. Americans would never tolerate this kind of conduct in other types of elections; they should not allow employers to deny

workers the right to form a union by praising the secret ballot on the one hand while rendering it meaningless on the other.

The proposed Employee Free Choice Act would allow workers to gain union recognition through a majority sign-up process, thereby denying employers the chance to intimidate workers and permitting the will of the majority to prevail. It would provide for mediation or arbitration to facilitate the approval of a first contract, and impose meaningful penalties on employers who violate the law. It is a common sense reform that would deter illegal employer activity and give workers a genuine right to choose whether they want union representation.

The opposition to this legislation comes from the usual suspects and is predictable. Employers and their well-funded ideological allies know that a stronger union movement means they will have to negotiate with workers

rather than dictate to them.

The balance of power in America has shifted dramatically over the last three decades, leaving a growing gap between the rich and poor, subjecting the middle class to what New York Times writer Steven Greenhouse has called "the big squeeze" and creating many more "disposable Americans," to use the term of Louis Uchitelle, another Times reporter.

Passing the Employee Free Choice Act will not by itself turn this situation around. However, it is a necessary first step toward restoring the middle class, renewing faith in the American Dream and ensuring respect for the rights of America's workers.

(Editor's Note: Bob Bussel is director of the Labor Education and Research Center at the University of Oregon.)

Barack Obama: A hope for the middle class and labor unions

To The Editor:

We, as members of the building trades, are facing a crossroad for the future of our jobs — and the direction this great country will go.

We have a history of endurance and perseverance to draw from, but those qualities have been stretched to the limit. We have an opportunity to shift our mindset from resignation to expectation. Union members and the working middle class have been refugees from the onslaught of eight years of an anti-worker Bush Administration, intertwined with corporate belligerence toward the labor movement.

All the while we have been told that "it's a global economy," or it's just "being competitive."

This anti-worker marketing strategy will continue unless we vote for change, starting at the top with our president.

Barack Obama can give us the chance to change the destructive practices that have become all too accepted in our country. It should be easier for workers to join a union, not harder. Construction union members should not have to worry about being taxed on their health benefits as income, as the Bush Administration has promoted and that Sen. John McCain supports.

And all workers should not have to worry about their Social Security benefits being privatized and lost in uncertain stock market conditions. These are just three labor issues from a long list, which also includes appointing a

secretary of labor who actually cares about labor.

Barack Obama has committed to protecting a person's right to join a union. Obama knows that union jobs are the heart and soul of America's middle class, and he will oppose the erosion of our benefits. And, Obama will fight to protect our Social Security system from privatization.

If there ever was a time for union members and their families to come together and elect a president who cares about the working folks of America, now is the time!

We can't afford another four years of the same failed policies that John McCain will offer.

I hope that you will join me as business manager of Bricklayers and Allied Crafts Local 1 of Oregon, and the Bricklayers International Union, in voting for Barack Obama for president.

Officially, this endorsement is based on who will best support favorable labor laws, union wages and benefits, and return the middle class to America, which the union movement worked so hard to make.

The Web site is www.barackobama.com. His positions on a variety of issues are posted there, including his support of Second Amendment rights, the right to own and bear arms in this nation.

Thank you for your support.

Keith Wright
Business Manager
Bricklayers 1
Portland

How many more scandals can we take? Elected officials need to take on greedy corporations

To The Editor:

Where to start? I guess it's with the depression that is settling in with most of us who work hard, pay taxes, obey

most of the laws, and now are facing unforeseen economic chaos.

Most of us are going backwards economically. Our wage increases are

used up trying to pay for our portion of health and welfare coverage. The ungodly increase in fuel (gas and diesel) is costing us an additional \$80 a week — and that's just to get to work! Food costs are also going through the roof.

After payday each week, we don't have anything left to save for a rainy day or any unfortunate disaster that could happen to any of us.

How many more scandals can we take? How many more Enrons, mortgage ripoffs, greedy oil speculators, along with auditors being in complicity with corporations' profit and loss records, before Congress will act?

Several times in history Congress had the political will to take on the unscrupulous cheating, greedy corporations. The time is now. Do something! Try taking away corporate subsidies or re-regulate the industries that are taking us down a rat hole.

Try some kind of political action so the entire electorate can see who is voting for us — and who is voting against us.

Henry Noble
Machinists Lodge 751
Retired
Seattle, WA

Lynn Lehrbach
Teamsters Joint Council 37
Portland

Make international effort to organize Boeing's competition

To The Editor:

As a Boeing retiree and participant in the Machinists Union strike, I was very pleased to see that the centrality of the issue of job security is being reported.

It's a tough one to win because management has years of experience in circumventing such agreements. Just consider how easily General Motors left Flint, Michigan, high and dry, despite the best efforts of municipal governments and unions to keep the plants there.

And didn't the Machinists Union and all Washington workers and taxpayers similarly sacrifice in 2002 when Boeing threatened to build the Dreamliner elsewhere?

I believe that the union's best solution is to remove the employer's in-

centive to contract out work, by making it more expensive. This could be best accomplished by organizing the competition. Such an international effort would also have the bonus of building solidarity among airplane workers internationally. The Machinists International should be aggressively organizing in China, Singapore and other places where the jobs are going.

I like this better than for my brave, determined sisters and brothers on the lines to be demanding the right to be the lowest bidder.