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CARD CHECK “COMPROMISE” MEANS WORKER RIGHTS ARE COMPROMISED

EFCA alternative is still EFCA

The Coalition for a Democratic Workplace (CDW) today said that efforts by unions to trump up a so-called “compromise” on the *Employee Free Choice Act* (EFCA) will further violate worker rights and place yet another undue burden on small businesses. With growing bipartisan opposition to card check legislation, Big Labor and their allies are scrambling to cut a deal that keeps EFCA alive.

The New York Times reported on July 17 that a small group of Democratic Senators is working on an alternative version of EFCA that would not include the “toxic” card check provision. As reported, this new EFCA would swap out card-check for “quickie” or ambush elections and allow union access to employees during the work day, while restricting employer free speech during an organizing campaign.

“Unfortunately, the EFCA alternatives that give unions unprecedented workplace access are another attack on worker privacy, opening the door to harassment by union organizers at work as well as at home. Furthermore, these variations on card check do considerable harm to small businesses, putting unnecessary government burdens on their ability to create new jobs,” said Brian Worth, chairman of the Coalition for a Democratic Workplace.

The *Times* article also referenced union support for EFCA’s controversial mandatory binding interest arbitration provision, which would stifle growth and job creation by forcing small businesses to operate under a contract crafted by government-appointed arbitrators.

“The biggest losers under the binding interest arbitration scheme are small business owners who will be subject to government arbitrators essentially deciding how their businesses will run and workers who would be denied a vote on the contract,” said Worth.

Backroom deals to save EFCA under the guise of “compromise” are non-starters for workers and small businesses. There is no difference between the anti-worker card check scheme and ambush elections which would penalize small businesses and workers. They both deny workers the opportunity to hear both sides of the debate before a secret ballot election is held. For small business employers who are focused on

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running their businesses, ambush elections deny them the time to ensure that the process is fair. Along with that, allowing professional union organizers on the jobsite is equally as troubling. Current laws already allow employees who support the union to campaign on company property and for paid union organizers to contact workers outside the workplace, such as making visits to an employee's home. Conversely, employers are not allowed to contact employees during non-work hours.

While card check's future remains uncertain, there is no questioning the determination of Big Labor to include the anti-worker provision in the final version of EFCA. In response to the *New York Times* story, SEIU President Andy Stern said, "As we have said from day one, majority signup is the best way for workers to have the right to choose a voice at their workplace. The Employee Free Choice Act is going through the usual legislative process, and we expect a vote on a majority signup provision in the final bill or by amendment in both houses of Congress."

About the Coalition for a Democratic Workplace

The Coalition for a Democratic Workplace is made up of more than 580 associations and organizations from every state across the nation that have joined together to protect a worker's right to a private ballot when deciding whether to join a union. In 2008, CDW embarked on a multi-million dollar public education campaign in key states that included polling, television, radio and internet ads and direct mail. For more information and a listing of our membership, please visit www.MyPrivateBallot.com.

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