

Source: Daily Labor Report: All Issues > 2009 > May > 05/15/2009 > News >
Organizing: Obama Reiterates Support for EFCA, Saying Scales Tilted Against Unions

92 DLR A-1

Organizing

Obama Reiterates Support for EFCA, Saying Scales Tilted Against Unions

President Obama May 14 reiterated his support for the proposed Employee Free Choice Act (S. 560, H.R. 1409), saying the legislation, which aims to make it easier for workers to gain union representation, was needed because “the scales have been tilted to make it really hard to form a union.”

During a town hall meeting in New Mexico, Obama told participants that union membership has declined significantly because of a changing economic culture and because of anti-union politics in Washington, D.C.

Meanwhile, the office of Sen. Arlen Specter (D-Pa.), confirmed that in an interview with the Associated Press May 14, Specter said that he thinks “the prospects are pretty good” that a compromise can be reached on the legislation.

Separately May 14, a group of Republican House members held a press briefing to denounce EFCA and discuss possible effects the bill could have on the agricultural sector. In addition, the U.S. Chamber of Commerce announced that it sent an EFCA opposition letter to Congress signed by more than 3,100 companies.

The bill, introduced in the House and Senate March 10 (45 DLR AA-1, 3/11/09), would amend the National Labor Relations Act to, among other things, establish a procedure whereby the National Labor Relations Board would certify a union as the bargaining representative of employees if a majority of employees of the unit signs valid union authorization cards. The legislation also would allow unions to continue to petition for NLRB-supervised secret ballot elections, if they choose, once 30 percent of the workers have signed union authorization cards.

Obama supported the bill during his presidential campaign and used the issue as a talking point on several occasions. However, after he became president, he had not made extensive public comments in support of the legislation.

“So a lot of companies, because they want maximum flexibility, they would rather spend a lot of money on consultants and lawyers to prevent a union from forming than they would just going ahead and having the union and then trying to work with, and collectively, allow workers to collectively bargain,” Obama said. “So there's a bill called

the Employee Free Choice Act that would try to even out the playing field. And what it would essentially say is that if the majority of workers at a company want a union, then they can get a union without delay and some of the monkey business that's done right now to prevent them from having a union.”

Obama acknowledged that there are not enough votes in the Senate to pass the bill as written, but said “there may be areas of compromise to get this bill done.” He said that he wants to find a way to preserve the core idea of the legislation, which is how to “make it easier for people who want to form a union to at least get a vote and have an even playing field.”

“I think it's going to have a chance at passage, but there's still more work to be done,” Obama added.

Specter Seeking Compromise

In his comments, Specter said he favors labor law reform and has been talking with labor leaders and other senators to try to find some kind of compromise. He declined, however, to discuss what areas of compromise are being discussed. “That's something for negotiations,” he said.

Specter, an original sponsor of EFCA in 2005(144 DLR AA-5, 7/28/05), March 24 announced his opposition to the legislation because he said it eliminated the secret ballot and called for mandatory arbitration. However, he detailed a list of amendments to the NLRA that he would be willing to support including faster elections and civil penalties for violations during an election campaign (55 DLR AA-1, 3/25/09). When he switched his party affiliation from Republican to Democratic April 28, he emphasized that he still opposes EFCA and will not vote to invoke cloture (80 DLR A-9, 4/29/09).

Andy Stern, president of the Service Employees International Union, said the president's comments constituted “a breath of long-needed fresh air.”

“What a difference having a pro-working family president makes,” Stern said in a statement. “We consider the president and vice president steadfast partners in our fight to give working people a voice on the job in the face of the most challenging economic times since the Great Depression—and we look forward to seeing them at the signing ceremony of the Employee Free Choice Act.”

Republican Lawmakers Rail Against EFCA

Meanwhile, Rep. Frank Lucas (R-Okla.), ranking member of the House Agriculture Committee; Rep. Mike Pence (R-Ind.), Republican Conference Chairman; Rep. Kevin McCarthy (R-Calif.), Republican Chief Deputy; and Rep. Buck McKeon (R-Calif.), ranking member of the House Committee on Education and Labor, held a press conference to discuss possible effects of EFCA on farmers and the agricultural sector.

Lucas told reporters that the agriculture sector has “very specific vulnerabilities” and that “any disruption of the supply chain could lead to increased prices.”

Critics of the bill argue that increased unionization means higher costs for employers. Lucas and McKeon suggested that farms and food processors would pass those costs off to consumers.

“Card check is a bad idea in the city and on the farm,” Pence said. “The last thing we need to do is raise the cost of doing business, particularly in rural America.”

Chamber of Commerce Letter

In addition, the U.S. Chamber of Commerce said it sent a letter of opposition to Congress bearing the names of more than 3,100 companies.

“This letter demonstrates the increasing opposition by companies small and large, and across all industries, to this misguided legislation,” said Randy Johnson, the U.S. Chamber's vice president for labor, immigration, and employee benefits. “We support workers' rights to form a union, but this is a bad bill.”

The letter, signed by businesses of every size and industry with operations in all 50 states, urges lawmakers to block the measure, even on procedural votes such as a cloture motion in the Senate.

“These leaders from across the country understand that, simply stated, this is bad legislation for both employers and employees,” Johnson said. “It's time for Congress to focus on solving our country's economic problems, instead of creating new ones with special-interest paybacks like EFCA.”

By Derrick Cain

Michelle Amber contributed to this report.

To view the chamber's letter, visit its Web site at
<http://www.uschamber.com/issues/letters/2009/090514efca.htm>.