

EMPLOYEE FREE CHOICE ACT SURVEY RESULTS

During the week of February 2-6, we conducted an online poll of our membership concerning the Employee Free Choice Act. With 237 businesses responding, 92% opposed the legislation. It is instructive to see the powerful responses to the question, "If enacted, what would be the results to your company?"

- "We are a small non-union company since 1949. In this economy if we were threatened with a union it is very likely that the business would fold - with a union it is very unlikely it could be sold."
- "Employee's have a "free choice" right now by being able to vote for or against union representation after having sufficient time to weigh their options based on information presented from each party."
- "The EFCA is nothing more than a last ditch effort by union supporters to bolster membership after watching it decline for years. The decline itself is the employee's free choice speaking loud and clear."
- "We might have to shut down."
- "Extremely harmful to the construction industry."
- "Sixty percent of our expenses are salaries and benefits. Our company would potentially close if it was unionized."
- "It could force us out of business as well as many of the small companies that make up the majority of the national workforce."
- "Unionized organizations are 35% more expensive to operate than non union organizations. In large part, unions have led to the demise of GM, Ford and Chrysler. We would not be able to be competitive in the marketplace."
- "I would seriously consider selling the company."
- "We are a small company (less than 35 employees) and this would more than likely cause us to have to close down. We do not have the margins in our products to be able to afford the cost of the unions. If we tried to pass this on to my customer they would order it from someone else."
- "Reduced domestic production, more production shifted overseas."
- "Our company would become more vulnerable to added costs & burdens during this poor economy. We strive to be competitive in areas of pay & benefits while providing a positive & safe work environment."
- "If a union was formed in my company it would probably put me out of business just like it is doing the big three auto manufacturers. I feel the unions have served a purpose and are now doing nothing but hurting this country."

- “It would drive up cost and cost jobs.”
- “We would have to raise our prices at least 35%. This would most likely leave us uncompetitive with the majority of our customers & contractors – initially leaving us with minimal work while we search for a new customer base that could handle higher prices. In the short term, this would force the company to lay off most of our employees & maybe even shut the company down. Everyone loses – from employees to local tax base.”
- “Our company would suffer tremendously if this were to become law. Our company could no longer compete in our business as we do now.”
- “We might have to close or for sure would need to lay off many employees.”
- “It could greatly impact our operating costs if unionized. We are in the automotive industry and the industry is struggling already. If this law is enacted it could be detrimental to our company financially if we were unionized.”
- “If enacted, it would drive up our cost to do business. In our competitive industry, staying in business would be difficult.”
- “Fortunately, our employees are not considering unions and haven't for many years. However, that could change in a heartbeat, and the result could be that I could have a union shop before I even knew it was an issue. That is not fair to me or to the many employees who would feel pressured to sign the cards. It's bad legislation.”
- “Collective bargaining could have catastrophic effects on employee pay as current performance incentives and salary gains due to performance would go by the wayside. In the end, this would make our company uncompetitive with foreign goods (where capitalism is still alive) and we'd need a bailout (i.e. Detroit).”
- “As a small business it would put me out of business if a union was organized.”
- “Potentially, could end our business.”
- “I'll shut my doors.”
- “Could put us out of business and leave 135 people unemployed.”

The comments above were sent to our legislators in Washington urging them to vote against the EFCA.

About the Employee Free Choice Act

The Employer Free Choice Act (EFCA) is described as follows:

The Employee Free Choice Act (EFCA) is legislation in the United States which aims to "amend the National Labor Relations Act to establish an easier system to enable employees to form, join, or assist

labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts, and for other purposes." Under current U.S. labor law, the National Labor Relations Board will certify a union as the exclusive representative of bargaining unit employees by card check process or secret ballot election, which is held if more than 30% of employees in a bargaining unit sign statements asking for representation by a union. If enacted, EFCA would require the NLRB to certify a bargaining representative without directing an election if a majority of the bargaining unit employees signed cards, the card check process.

Pursuant to the bill, a union can demand that an employer begin bargaining within ten days of certification of the union as the exclusive bargaining representative for an appropriate unit of employees via the card check. In addition, if the union and employer cannot agree upon the terms of a first collective bargaining contract within ninety days, either party can request federal mediation, which could lead to binding arbitration if an agreement still cannot be reached after thirty days of mediation. Where government arbitration determines terms of the agreement, employees would lose their current right to ratify the terms of the agreement. Finally, the Act would provide for liquidated damages of three times back pay if employers were found to have unlawfully terminated pro-union employees. The EFCA also would impose a \$20,000 penalty upon employers for each employer violation of the proposed legislation if the NLRB or a court deems the violation willful or repetitive.

http://en.wikipedia.org/wiki/Employee_Free_Choice_Act