

Facts About EFCA

Top Issues

- The Employee Free Choice Act (EFCA), also known as Card Check, should be more accurately named the Employee Forced Choice Act.
- EFCA will take away workers' right to a secret ballot in labor elections.
- EFCA will force workers to join unions.
- EFCA will force millions of U.S. jobs overseas.

Act violates a worker's right to voting privacy

- With EFCA National Labor Relations Board (NLRB), supervised secret ballot elections in workplaces are at risk.
- Union bosses will decide when and if workers will be allowed to privately vote whether or not to support the formation of a union at their workplace.
- In those instances, instead of a vote, workers will be asked to sign a card supporting unionization.
- At any time, a union organizer can force an employee to vote "yes" or "no" on a card in front of the organizer and anyone else standing around.
- When their private votes become public property, employees will be at risk for union intimidation and coercion.
- The elimination of secret ballot elections violates a fundamental component of democracy.

Unions are losing ground in today's workplace

- Union representation in the private sector has dropped from around 30% in 1960 to less than 8% today.

Unions are bad for the economy

- This legislation will lead to more unions. History has taught us that as unions gain a hold, business ships jobs overseas to avoid the higher costs associated with union employees.
 - EFCA would force jobs overseas - and this is not time for that.
- During these economic hard times we need to find ways to promote, not hinder, job creation.
- Union-heavy states average almost 20 percent slower economic growth and have higher unemployment rates than states with low union presence.
- Union-heavy states pay higher taxes and have a higher cost of living.
- Unions are largely to blame for the American automotive industry crisis.
 - The legacy costs created by the United Auto Workers make it nearly impossible for the U.S. to compete with non-union foreign automakers.

EFCA is bad for business owners

- EFCA will bring government into the workplace unnecessarily and divisively.
 - Eliminates an employer's right to decline unfavorable proposals during collective bargaining negotiations.
- EFCA would impose mandatory first contract arbitration.
 - Current law simply requires that the two parties sit down and bargain in good faith.
- EFCA also would mandate binding arbitration if management and labor are unable to reach a collective bargaining agreement.
 - Setting wages and contracts will be held up by government interference.
 - Binding arbitration would allow an outside party to decide on the initial collective bargaining agreement based on his or her own opinions.

- The employer and employees are taken out of the discussion, limiting the say of the two most affected parties, impeding innovation and competitiveness, and denying accountability to the affected parties.
- Criminalizes a “make whole” remedial law and turns it into a criminal statute, providing for a punitive fine of up to \$20,000 against employers.
- Eliminates the employers’ right to make a case for or against unionization
- Small businesses would be targeted, also.
 - If EFCA is passed, restaurants, construction companies, retail stores and banks will all be union targets.

EFCA is payback legislation

- Labor unions spent upward of \$450 million in this past election in order to elect Democratic congressional candidates.
- In return, they expect payback in the shape of early passage of EFCA.

Stop the passage of EFCA! Protect the rights of workers.
Write to your U.S. Senators today and ask them to oppose this anti-democratic legislation.

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