



National Association of Government Employees, SEIU/NAGE Local 5000

SEIU/NAGE Supports the Employee Free Choice Act (EFCA) (H.R. 1409/S. 560)

Position: The current system for forming a union is outdated and ineffective, placing too much power in the hands of the employer and leaving workers virtually powerless. For too long, employers have exploited and abused the deficiencies in federal labor law in their efforts to maintain power in the workplace. Often times these employees are harassed - even fired - simply because they want to come together and bargain on behalf of their fellow employees. The Employee Free Choice Act, H.R. 1409/S. 560, will enact stiffer penalties for employers who violate workers' rights in elections, it will allow employees to choose to form a union through majority sign-up, and it will ensure that a mutually agreeable contract is reached in a timely manner. SEIU/NAGE strongly supports EFCA.

Background :

One of the most important priorities that labor unions have in Congress is the Employee Free Choice Act (H.R. 1409/S. 560). This critical legislation would enable working people to bargain for better wages, benefits, and working conditions by restoring workers' freedom to choose for themselves whether to join a union. The legislation accomplishes this by:

1. Establishing stronger penalties for violation of employee rights when workers seek to form a union and during first-contract negotiations.
2. Providing mediation and arbitration for first-contract disputes.
3. Allowing employees to form unions by signing cards authorizing union representation.

Broken System:

This legislation is critically important because the current system for forming unions is broken. Although U.S. and international laws are supposed to protect workers' freedom to belong to unions, employers routinely harass, intimidate, coerce, and even fire workers struggling to gain a union so they can use collective bargaining to improve their lives. And U.S. labor law is powerless to stop them. Employees are on an uneven playing field from the moment they begin exploring whether they want to form a union, and the will of the majority often is crushed by brutal management tactics. Consider these statistics:

- Ninety-two percent of private-sector employers, when faced with employees who want to join together in a union, force employees to attend closed-door meetings to hear anti-union propaganda; 80 percent require supervisors to attend training sessions on attacking unions; and 78 percent require that supervisors deliver anti-union messages to workers they oversee.
- Seventy-five percent hire outside consultants to run anti-union campaigns, often based on mass psychology and distorting the law.
- Half of employers threaten to shut down partially or totally if employees form a union.
- In 25 percent of organizing campaigns, private-sector employers illegally fire workers because they want to form a union.
- Even after workers successfully form a union, in one-third of the instances, employers do not negotiate a contract.

Why Unions Are Important:

Joining together in a union to bargain for better wages, benefits and working conditions greatly improves the lives of working people and the communities in which they live. Better pay and benefits translates to a higher standard of living for those who have a union. But those who simply work in communities where unions exist benefit also. The presence of unions at some worksites within a community pushes up wages at all the other worksites within that community as well. Non-union employers are forced to provide better wages and benefits to compete with union employers for labor. When unions are present in a community, everyone benefits.

Consider these statistics:

- Workers who belong to unions earn 30 percent more than nonunion workers.
- Union workers are 62 percent more likely to have employer-provided health coverage.
- Workers who belong to unions are four times more likely to have pensions.
- Only 38 percent of the public says their families are getting ahead financially.
- Less than 25 percent of the public believes the next generation will be better off.

Why this Legislation is Important for Federal and Public Sector Workers:

While EFCA only directly impacts the ability to form unions in the private sector, federal and public sector employees are still strongly impacted by the legislation. As previously discussed, the presence of unions pushes up wages significantly in a given community, and these wage increases directly or indirectly carry over to government sectors.

For example, blue collar federal workers are impacted by increases to private sector wage increases because their wages are based on the prevailing wages for comparable work in the private sector. So, when private sector workers are given a fair opportunity to join unions, private sector wages will go up as a result, that will be reflected in the wage surveys done to establish the prevailing rate for federal workers, and blue collar federal workers will get paid more.

White collar federal workers will benefit from EFCA as well. The Federal Employees Pay Comparability Act of 1990 (FEPCA) set the target pay gap between private sector workers and government employees in similar positions at five percent. While this law has not been fully observed, Congress has had a tendency to provide federal employees with a bigger annual pay adjustment when the pay gaps have grown. Higher private sector pay because of EFCA would lead to bigger pay gaps, and thus higher annual pay adjustments from Congress.

Conclusion:

The Employee Free Choice Act is critical legislation for working America. The essential right to form and join a union has been compromised by corporations determined to keep workers from organizing. The law must be changed *now* to level the playing field for workers who wish to form and join unions. SEIU/NAGE strongly supports the Employee Free Choice Act.