

***SAMPLE RESOLUTION OPPOSING  
THE EMPLOYEE FREE CHOICE ACT (CARD CHECK)***

WHEREAS, Declining union membership is a result of shifts in the makeup of the national economy, rising standards of living and changing employee attitudes and not because the rules governing whether a union is recognized as the bargaining agent for employees are stacked against organized labor, and

WHEREAS, Current rules allow employers to request a secret ballot elections overseen by the National Labor Relations Board where unions won 67% of the elections in the first half of 2008, and

WHEREAS, Organized labor wants to improve its fortunes by changing the rules under the proposed Employee Free Choice Act (“Card Check”) to allow unions to simply collect authorization cards signed by a majority of employees in a bargaining unit to be recognized as the exclusive representative of all employees in that unit, and

WHEREAS, This process would effectively eliminate the use of the secret ballot election, remove an employee’s right to privacy, and make the employee more vulnerable to coercion, and

WHEREAS, Card Check only provides a very short period of time for negotiations before a federal arbitrator is allowed to write the labor agreement, and

WHEREAS, This short window for negotiation provides incentive for union negotiators to move towards arbitration and eliminates any incentive to negotiate in good faith, and further forces employees to forfeit their opportunity to ratify their first contract, and

WHEREAS, The Employee Free Choice Act dramatically increases penalties on employers for certain violations of the National Labor Relations Act without increasing any penalties on unions for violations they might commit

**THEREFORE, BE IT RESOLVED THAT THE \_\_\_\_\_ CHAMBER OF COMMERCE OPPOSES THE EMPLOYEE FREE CHOICE ACT BECAUSE:**

- **It would effectively eliminate the secret ballot** currently used to determine if unions will represent employees in a workplace and expose employees to coercion and intimidation. Unions may or may not be good for employees, but that is their decision to make based on all the facts and circumstances. Employees should be able to make that choice privately, without union organizers or company officials looking over their shoulders – or worse. Exposing employees’ decisions to unions, employers, and their co-workers opens the door to coercion and intimidation. The secret ballot process has proven successful and respects both employers’ and employees’ values.
- **The bill would require federally-appointed arbitrators to write labor contracts** that are binding for two years. If, after only 120 days of negotiations, there is no agreement

for a first contract, the matter could be submitted to binding interest arbitration where a federally-appointed arbitrator would decide all of the terms and conditions of the union contract: from pay and benefits to work rules and outsourcing. Employers could be forced to radically change their business models or eliminate important competitive advantages.

- **The Employee Free Choice Act would impose a completely unbalanced increase in penalties.** Under the bill penalties on employers would be increased significantly without any corresponding increase in penalties on unions. Such one-sided increases conflict with any sense of fairness or balance.

**BE IT FURTHER RESOLVED THAT THE \_\_\_\_\_ CHAMBER OF COMMERCE WILL JOIN THE NORTH CAROLINIANS TO PRESERVE EMPLOYEE CHOICE, A COALITION OF LOCAL BUSINESSES AND LOCAL GOVERNMENT UNITS TO HELP DEFEAT THE EMPLOYEE FREE CHOICE ACT.**