



# TEXAS AFL-CIO

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April 1, 2009

## Memo

To: Business Managers, Local Presidents, Legislative Chairs  
From: Becky Moeller & Paul Brown  
Re: Employee Free Choice Act

Dear Brothers and Sisters:

It has come to our attention that while labor activists and leaders are thoroughly familiar with the Employee Free Choice Act, a number of other union members have been asking questions about the "secret ballot" provisions in the bill. This is understandable, since the U.S. Chamber of Commerce and the business community are spending tens of millions of dollars to advertise against a measure that would give workers a better chance to organize.

We are asking you to communicate with your membership to make certain they understand that the Employee Free Choice Act is exactly what it sounds like: a choice for employees instead of just employers. Here are some talking points on how a union would form under the proposal:

- 1) The Employee Free Choice Act would allow a workplace majority to ask for collective bargaining directly through authorization cards or to conduct a "secret ballot" election. That is the choice that now exists, though only the employer gets to make the decision under current law. Instead, the law would give the choice of how a union is to be recognized to employees. One-third of any workforce could insist on a secret ballot election under the Employee Free Choice Act, or a large majority could simply ask to be recognized immediately;
- 2) The "secret ballot" elections that employers profess to love so much are more like elections in the old Soviet Union than in any real democracy. Employers get unlimited browbeating "one-on-ones" with workers as well as unlimited mandatory group meetings on the premises to attack unions. Unions get no guaranteed access to any employee. Employers often

threaten to shut down the business or move elsewhere if a union forms. To complete the intimidation, many employers fire organizers. That's not democracy in any form or fashion;

- 3) More than half of workers who don't have a union have said in polls that they would join one if given the chance. The Employee Free Choice Act is designed to make that chance a realistic possibility;
- 4) The business community is working overtime to attack the Employee Free Choice Act, helped by corporate front groups and the National Right to Work Committee, which is dedicated to the destruction of the union movement. Those forces are playing fast and loose with the truth about the proposal;
- 5) Although most members' questions have focused on the "secret ballot" issue, the Employee Free Choice Act also promotes first contracts and combats deliberate stalling by setting a deadline for agreement, after which an arbitrator would be called in to help reach a first deal. Moreover, the Act increases the antiquated penalties that employers face for violating workers' rights during an organizing campaign.

Please relay these points to your membership as Congress draws closer to consideration of the Employee Free Choice Act.

If you have any questions, please call either of us. We very much appreciate your efforts in helping turn the Employee Free Choice Act into law.

In solidarity,



Becky Moeller, President



Paul Brown, Secretary-Treasurer