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A Better Union Bill

A reported compromise that would drop a provision allowing workers to simply sign up to form a union rather than holding a vote improves federal legislation known as the Employee Free Choice Act. That provision, known as card check, should stay out of the bill.

The bill, which was the subject of numerous television ads during last November's election, has languished in Congress since then. This is, in part, because some Democratic lawmakers said they would not support the measure if it included card check. As originally written, the bill would have required that a union be formed if more than 50 percent of employees signed cards saying they wanted to unionize. Currently, a secret ballot vote must be held if employees request it.

Changing to the card system would have been akin to allowing groups simply to gather signatures on petitions to change state laws rather than using the signatures to get a question on the ballot, where it is then put to a statewide vote. "Anybody who has signed a petition to avoid offending the petitioner or because they believed an issue deserves a fair hearing will recognize the folly of this approach," Doug Newman, the owner of Newman Concrete Services Inc. in Richmond, wrote on these pages in March.

Continuing to hold a vote on whether to unionize makes sense.

Without card check, the Employee Free Choice Act contains numerous provisions that will help union organizing efforts. An important one would require an employer and union to submit to binding arbitration if a first contract is not negotiated within a specific period of time after a union is formed. That period should be at least 120 days. Studies have found that nearly half of unions still lack contracts two years after they were formed. Ending such stalling will lower a hurdle to union organizing, as will provisions to protect workers from intimidation and harassment. At the same time, preventing employers from holding mandatory meetings to talk to workers about whether a union is needed, as the act would do, is unnecessary, especially when the bill allows union organizers additional access to workers.

Union jobs have long offered better pay and benefits than nonunion jobs. At the same time, however, heavily unionized industries have been hard hit by the economic downturn.

Finding the right balance between the ease of unionizing and the need for management to make corporate decisions is necessary for the health of the American economy. A revised Employee Free Choice Act can strike that balance.