

## Card-check compromise creates a strong bill

Even without its most controversial element, the Employee Free Choice Act is a major reform.

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So far, most of the public debate on the Employee Free Choice Act has been centered on one aspect of the bill.

The part of the package that gets the most ink would force recognition of a union when a majority of employees signed a card indicating their desire to bargain collectively instead of expressing their preference in a secret-ballot election. It has created so much controversy that the measure is as often referred to as the "card check bill" as by its real name.

That focus has obscured the fact that the bill has other parts that could have just as big an impact in helping workers start new unions. What should have been a debate over the value of an organized work force turned into a struggle over the value of a secret ballot.

That debate may have ended this week, however, with the announcement that some moderate Democratic senators who had been undecided about the Employee Free Choice Act have announced their support for a version of the bill that has the controversial card-check provision stripped out. What's left is a meaty bill that would help workers form unions and should become law.

The most important feature that is still in the bill is a requirement that once a union has been recognized in an election, the employer and union can be forced to enter binding arbitration if they fail to come to terms on a first contract. This would take away an unfair tactic some employers use to resist workers exercising their legal rights to bargain collectively.

Under current law, an employer can slow down talks and obstruct the negotiation of a first contract with the newly recognized union. A study by the Massachusetts Institute of Technology determined that 44 percent of workers who form a union never achieve their first contract.

With EFCA, employers would face a choice: Bargain in good faith with the new union or risk having an agreement forced on you by an arbiter. The law would create an environment that would be much more conducive to achieving contracts.

For decades, middle-class wages have been stagnant and union membership has been in decline. The trends are connected. America has been losing the industrial manufacturing jobs which were once the stronghold of organized labor.

The result can be felt throughout the economy. Union members are better paid and are more likely to have employer-supplied health insurance and pension plans than non-union employees. Non-union workers in communities with strong unions are better paid than similar workers in other areas.

The importance of unions has been recognized in federal law since the 1930s. But organizing today's workers in service sectors, like high-tech and medical industries, will take some changes to the rules that were put in place to govern organizing factory workers many decades ago.

Enough has changed since then to warrant some major changes to federal labor law. Congress should get behind the latest version of the Employee Free Choice Act.