

Revised EFCA bill a sham

Andre Cushing

A so-called “compromise” is now on the horizon for the contentiously debated and stridently opposed Employee Free Choice Act, or EFCA. The trouble is, neither the concerns of businesses nor their employees are adequately represented in the amended legislation, which makes the idea of a true compromise questionable at best, and a downright sham at worst. According to news reports, the revised legislation will omit the card check provision, which threatened to replace the secret ballot in what are now fair and confidential union-organizing elections. While this is a positive step for America’s workers, striking this provision is simply not enough.

EFCA is of serious concern to Maine’s businesses and employees on a number of levels. While the card check provision got the most play in the press, the bill’s insistence on government-mandated contracts after a brief window of union-employer negotiation remains explosive to our economy and workers’ liberties. Inviting a federal bureaucrat into our businesses to write the contracts that decide workers’ salaries, benefits, hours and working conditions is a ludicrous idea. Even more alarming is the fact that EFCA would prohibit workers and employers from having any say on a government-mandated contract. And there are no guarantees that the arbitrator will comprehend how the local industry works in our Maine towns or the needs of its employees. Instead of a fair and reasoned contract negotiated by and signed by both Maine workers and their employer, the process becomes a roll of the dice, subject to the arbitrator’s ignorance, whims and any potential hidden agendas.

Worse still, this “compromise” may be a ruse altogether. The strategy, according to some accounts, would be to hoodwink lawmakers into voting for the EFCA compromise legislation and then add the card check component as a last-minute amendment. This kind of bait-and-switch tactic would certainly favor the unions, which stand to make billions from the policy shift. However, if EFCA is implemented, workers will be far less lucky.

Oppressive mandates resulting from government arbitration will increase the costs and burdens employers face. Struggling under these cumbersome new strictures, many businesses will eventually be forced to move forward with layoffs, causing America’s unemployment rate to climb even higher. Also, arbitrators may well force companies into failing union pension plans — once again without their consent. This scenario would place companies and their employees in an extremely vulnerable position given the fact that employers must stick with the plan, regardless of its financial instability or else pay huge exit penalties. How can the editorial page of the Bangor Daily News, long known as a champion of Maine small business and its work ethic, even think it fair to encumber businesses and our economy in this way? Thanks to our vigilant U.S. senators for standing firm in opposition to this poorly crafted and inequitable piece of legislation.

Maine companies who are job creators deserve more, not less, opportunity. Masquerading on the platform of “free choice,” in reality, this bill takes crucial choices away from workers — whether it’s losing the right to vote on the contracts that determine their employment conditions or forcing many of them into unions they never wanted to be part of. This is not the American way, and it is not the right path for Maine’s businesses.

I strongly urge Maine’s elected officials to take a strong stand against the repackaged version of EFCA — or any version that includes binding arbitration or card check. The bottom line: This bill is not a true compromise but just more of the same.

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