

Save the secret ballot for voting on unions

by *The Detroit News*

Secret ballot voting is one of those things Americans hold sacred. When asked to decide an issue by a majority vote, we prefer to cast our ballots in private and decide for ourselves whether we want to tell the world where we stand.

Workers would lose that right if Congress pushes through the card check legislation introduced this week at the urging of the nation's labor unions. The Employee Free Choice Act would allow unions to organize a workplace simply by collecting signed membership cards from a majority of the workers. It would end the current requirement for a secret ballot election to form a union.

Supporters say the bill would level the playing field between management and labor. Unions have been losing membership and have had difficulty organizing new workplaces during the past 20 years, and they blame intimidation tactics by employers for their failures.

But there's no balance in the card check legislation. It would tip the organizing advantage steeply in favor of labor and deeply involve the federal government in contract negotiations.

Workers would be subject to public pressure from their peers to sign cards, and would have no additional chance to consider their decision. Vote totals in recent organizing elections show a big fall-off in the number of workers who sign cards asking for a vote and the number who actually cast ballots in favor of the union.

Workers deserve the opportunity for a more careful consideration of their decision, and the right to make that choice without broadcasting it to their peers. The bill contains no language governing what the card should look like or how they should read, opening the possibility that some workers will be misled into signing.

Employers also should have the right to make their case against the union. Under a card check system, a company may not even know it is being organized until after the cards are signed and the deal is done.

Ron Gettelfinger, president of the United Auto Workers union, argues that the card check law is needed because workers are fired or severely harassed by employers in 25 percent of organizing drives. If that's the case, additional protection of workers from retribution can be crafted without taking the fairness out of labor law. Unions should have the right to organize and to do so in an environment free of intimidation. But at the same time, workers shouldn't be subjected to the potential of equally unpleasant treatment by union organizers.

Perhaps the most bothersome piece of this bill is that it requires the first contract to go to a federal arbitrator if the union and company can't agree to terms. In Michigan, a similar binding arbitration guarantee for public safety officers has been a budget buster for local governments and assures that many contract negotiations end up being decided by an arbitrator.

It's no secret that private companies don't like to be unionized, for reasons both good and bad, but primarily because it drives up the cost of doing business. Labor costs are a chief consideration when companies decide where to create jobs. This bill will increase the incentive to take jobs, particularly manufacturing jobs, to less costly places.

Traditional union states such as Michigan will be placed at a further disadvantage with right-to-work states, where the impact of organizing is mitigated by the freedom workers have to refuse to join the union once it's formed.

This is a bad bill. It's unfair to workers and robs them of a right that should be available to all. And it is a needless distraction at a time when Congress should be focusing on pragmatic decision-making aimed at quickly restoring the economy.

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