

ALFA Comments on Employee Free Choice Act

Our national affiliate, ALFA has provided PALA with an update on the status of the **Employee Free Choice Act**. PALA is encouraging assisted living providers, residents, families, vendors, and supporters to write your federally elected officials and ask them to vote against the Employee Free Choice Act.

Employee Free Choice Act "Compromise" Dominates News

The buzz that began shortly after Senator Arlen Specter's party change (became a Democrat) has been around a "so-called" compromise for the current version of the Employee Free Choice Act (EFCA). The four senators who are leading compromise efforts are Senators Specter (D-PA), Tom Harkin (D-IA), Dianne Feinstein (D-CA), and Mark Pryor (D-AR).

The first change being pushed in the so-called compromise for EFCA is replacing card check with mail in authorization cards most commonly referred to as "post card check." Under this system employees would in theory mail their authorization cards rather than have them collected. The fallacy of this system is that it's the same card check scheme with a postage stamp. In fact, the likelihood that union officials will visit employees at their homes to pressure them to sign cards will increase. They will likely even offer to mail the cards for employees. Many studies have shown participation is lower in mail in balloting campaigns than in actually on-site balloting. Bottom line, postcard check doesn't provide the same level of protection and privacy as the current federally supervised secret ballot elections.

The second change being pushed would replace the current binding arbitration provision in the EFCA with "last best offer" arbitration also known as baseball arbitration. Under this form of arbitration, management would write a contract as would the labor union. The federal arbitrator would then decide between the two contracts. The arbitrator would also likely look at other unionized businesses in the industry in determining the final contract. At the end of the day, an arbitrator will decide wages, benefits, work rules, pensions etc. This provision, while different from mandatory binding arbitration, will have the same negative impact on business.

ALFA, PALA and other members of the Coalition for a Democratic Workplace remain opposed to the EFCA, cloture (vote to end debate in the U.S. Senate on EFCA) and especially to compromises to the Employee Free Choice Act.

Key Democrat Remains Opposed to EFCA

Senator Blanche Lincoln (D-AR) is the only Senate Democrat to publicly state her opposition to the Employee Free Choice Act. ALFA staff and legislative counsel met with Senator Lincoln where she reiterated her opposition to EFCA and feels that compromises should come from business and labor and not from Senators.

How You Can Best Help Defeat the "so-called" Employee Free Choice Act?

We urge you to write your federally elected officials and ask them to vote against the Employee Free Choice Act.