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U.S. Senate and House Introduce Employee Free Choice Act

Legislation Will Help Restore and Strengthen America's Middle Class

WASHINGTON, D.C. – Leading members of the U.S. Senate and House today introduced legislation that would help enable workers to bargain for better wages, benefits, and working conditions by restoring their rights to form unions.

“The current crisis has shown us the dangers of an economy that leaves working families behind. The people who work in our factories, build our roads, and care for our children are the backbone of this great nation. The Employee Free Choice Act will give these hardworking men and women a greater voice in the decisions that affect their families and their futures. It’s a critical step toward putting our economy back on track, and I hope that we can act quickly to send it to the President’s desk,” said **Sen. Edward M. Kennedy (D-MA), chairman of the Senate Health, Education, Labor and Pensions Committee.**

“Just as the National Labor Relations Act, the 40 hour week and the minimum wage helped to pull us out of the Great Depression and into a period of unprecedented prosperity, so too will the Employee Free Choice Act help reinvigorate our economy,” said **Sen. Tom Harkin (D-IA), member of the Senate Health, Education, Labor and Pensions Committee.** “Today is one of those defining moments in history as we introduce legislation that puts power back into the hands of the people who are truly the backbone of this economy.”

“Americans’ wages have been stagnating or falling for the past decade. For far too long, we have seen corporate CEOs take care of themselves and shareholders at the expense of workers,” said **U.S. Rep. George Miller (D-CA), chairman of the House Education and Labor Committee.** “If we want a fair and sustainable recovery from this economic crisis, we must give workers the ability to stand up for themselves and once again share in the prosperity they help to create.”

Since 1935, workers have been allowed to form a union either through majority sign-up or through a National Labor Relations Board election.

While the NLRB election process uses slanted rules that dramatically favor employers, studies have found that the majority sign-up process reduces pressure and coercion in the workplace. Currently, however, employers can veto workers’ decision to organize through majority sign-up and force them into the divisive NLRB election process where, according to a recent study, a pro-union worker is illegally fired in a quarter of all organizing drives.

The bipartisan Employee Free Choice Act simply gives workers the choice of whether to form a union either through majority signup or an NLRB election.

In addition to allowing workers to form a union through majority sign-up, the Employee Free Choice Act would also:

- Stiffen penalties against employers that illegally fire or discriminate against workers for their union activity during an organizing or first contract drive, including requiring employers to pay treble back pay to workers whom they are found to have illegally fired; and
- Allow employers and newly formed unions to refer bargaining to mediation and, if necessary, binding arbitration if they are not able to agree on a first contract.

Both President Barack Obama and Vice President Joe Biden believe the Employee Free Choice Act is a critical part of what must be done to build an economy that works for everyone again. In separate speeches last week, they made it clear that the legislation is a priority and that Congress must pass it.

For more information on the Employee Free Choice Act, [click here](#).

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