

****FACT SHEET ON EMPLOYEE FREE CHOICE ACT INCLUDED**

FOR IMMEDIATE RELEASE

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KENNEDY, MILLER, AND SWEENEY JOIN THOUSANDS FOR LABOR RALLY

***LABOR LEADERS FIGHT FOR EMPLOYEE FREE CHOICE ACT AND PRO-WORKING
FAMILY AGENDA***

Washington, D.C. -- TODAY, Senator Edward M. Kennedy and Representative George Miller joined AFL-CIO President John Sweeney and thousands of labor activists for a rally to support the Employee Free Choice Act and a pro-working family agenda. The Employee Free Choice Act will protect the democratic right of workers to choose to join a union. Friday's rally was part of a two-day labor summit of union organizers, leaders, and members from the U.S. and around the world.

"You pounded the pavements, you knocked on doors, and you got the job done! Come January, we're going to have a Congress that puts working families first! At long last, we're going to raise the minimum wage, we're going to overturn the Kentucky River decision, and we're going to fight this President's anti-worker agenda," Senator Kennedy said. "History tells us that the best way to make sure that workers get their fair share is to give them a stronger voice, but shamefully America's labor laws are too weak to prevent employers from resorting to illegal union-busting tactics to intimidate workers. That's why Representative Miller are determined to protect every employee's right to join a union, and stop once and for all this continuing epidemic of bullying and intimidation."

"Thanks to your hard work, we got our country back – and now we finally have a chance to go in a new direction," said Miller. "We are going to ease the squeeze on the middle class, and one of the most important ways to do that is by restoring the freedom of workers to have a voice at work. When workers have the opportunity to join a union, it makes a world of difference for them and their families."

Thousands of union activists, leaders, and allies joined Sweeney, Kennedy, and Miller at Friday's rally at Senate Park, including National Education Association President Reg Weaver, American Federation of Teachers President Ed McElroy, International Association of Firefighters President Harold Schaitberger, Communication Workers of America President Larry Cohen, ACORN President Maude Hurd, United States Student Association President Jennifer Pae, DC Metro Council President Jos Williams and Leadership Conference on Civil Rights President Wade Henderson.

Below is a summary of the Employee Free Choice Act :

THE EMPLOYEE FREE CHOICE ACT

The Employee Free Choice Act will help to create an atmosphere where workers can choose a union free from employer coercion.

[Card Check—Employees Choose A Union When A Majority Of Workers Sign Cards Endorsing The Union](#)

Problem: Union elections are often the focus of employer intimidation and coercion—employers illegally fire employees for union activity in at least one-quarter of all organizing efforts and 70% of employers in the manufacturing sector threaten to relocate their plants. And each year over 20,000 workers are discriminated against—losing wages or even their jobs—for exercising their freedom to associate.

Solution: The National Labor Relations Board (NLRB) will develop a procedure under which a union can be recognized if a majority of employees sign authorization cards choosing the union as their bargaining representative.

Reaching First Contract Through Mediation and Arbitration

Problem: 50% of workers who choose to unionize still don't have a contract within two years after choosing a union.

Solution: The bill provides that if the parties don't reach a contract within 90 days, either one can seek mediation from the Federal Mediation and Conciliation Service (FMCS). If there is no agreement after 30 days of mediation, the dispute will go to arbitration, the result of which will be binding on the parties for two years.

Strengthens Remedies for Employer Coercion When Employees are Trying to Organize or get a First Contract

Problem: Employers fire pro-union workers in 25% of organizing drives. But remedies for this coercion are inadequate. An employee must often spend years to prove her case—and then she is only eligible to receive back pay and reinstatement to her job.

Solution:

- Injunctions: The NLRB must go to court to get an order stopping an employer that is firing or discriminating against workers based on their union activity during an organizing or first contract drive.
- Treble Backpay. An employer that discriminates against a worker during an organizing campaign or first contract drive must pay three times back pay.
- Civil Penalties: Imposes civil fines up to \$20,000 per violation if an employer willfully or repeatedly violates workers' rights during an organizing campaign or first contract drive.

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