



Card Check Would Have Negative Impact on Business

**By Mary Ann Miller
President/CEO Tempe Chamber of Commerce
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While most of our attention is understandably focused on the economy, an effort to drastically and negatively change the way businesses deal with their staffs is underway in Congress. At issue is the Employee Free Choice Act, otherwise known as Card Check.

Card Check would ease the requirements for unionizing a business or work unit. There are no provisions exempting small and medium-sized businesses, many of whom would be facing unionization for the first time. It would essentially negate Arizona's right-to-work status.

Under current laws, if union organizers collect signatures from at least 30 percent of the employees in a bargaining unit, the federal National Labor Relations Board will hold a federally supervised secret ballot election to determine whether to certify the union. This process, refined through decades of experience, carefully balances the interests of employees, unions, and employers in order to ensure that workers can hear all sides, make up their minds, and vote in private, without intimidation or coercion.

Card Check would allow the union to be certified the moment it collected a majority of signed authorization cards, effectively eliminating the secret ballot election and the legal requirements that regulate it. Instead, employee decisions on unionization would be made in front of union organizers, greatly increasing the opportunity for pressure in the union-organizing process.

Under Card Check, a union has no obligation to tell an employer it is launching an organization drive. An employer may not find out an organizing campaign is underway until ordered by the Federal government to start collective bargaining. Likewise not all workers might know about organizing efforts, and many of them might not get the opportunity to vote. And once a card is signed, the worker cannot change his or her mind.

The bill also alters collective bargaining by allowing unions to end good faith negotiations and forces employers into binding interest arbitration to set all the terms and conditions of a union contract, not just wages and benefits. Current law requires that the parties bargain in good faith and recognizes that the union, representing workers, and the employer are in the best position to determine whether compromising on one goal in order to achieve another is acceptable.

Finally, Card Check would increase penalties for employers, but not for unions or others who violate union organizing laws.

The Tempe Chamber is working with businesses and organizations across the country to oppose the Employee Free Choice Act so that we can preserve employees' privacy and maintain a competitive business environment that fosters economy recovery and growth.