



APWU
and the
Employee Free
Choice Act

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Now Is the Time for Action!!

- On March 10, 2009, the Employee Free Choice Act was introduced in the U.S. House and Senate. A vote is expected on these bills within the next 60 to 90 days. “I encourage APWU members to urge their legislators to support this important legislation,” said APWU President William Burrus. “This is our number one priority.”
- A resolution to support the Employee Free Choice Act was overwhelmingly passed at our 2008 National Convention.

Worker's Freedom to Bargain is Important

- Corporations aren't treating workers fairly
- Organized workers are the key to rebuilding the middle class
- Organized workers help bridge the gap between the rich and poor
- Organized workers have greater success when they bargain together for a better life
- Organized workers can create an economy that works for everyone, not just CEOs
- Organized workers will have a better chance of getting back the wages and benefits they have lost in this 'Great Recession.'

The Employee Free Choice Act

The Employee Free Choice Act balances the playing field and would let workers decide if they want to use *majority sign up* or a *secret ballot* to form a union. That decision would no longer be made by management for the workers.

The 'Act' has three major components.

Removes Current Barriers that Prevent Workers from Forming Unions to Bargain Collectively

- When over 50% of the workers sign up for union representation (majority sign-up), the National Labor Relations Board and the employer must recognize the union.

Guarantees Workers a Contract When They Form a New Union

After workers sign cards to have a union, they will have this guaranteed contract process:

- 90 days to reach contract agreement
- 30-day period where a mediator attempts to resolve the contract
- Mandatory binding arbitration
- Minimum two year contract



Strengthens Penalties against Companies which Break the Law

- **a. Civil Penalties: Up to \$20,000 per violation against companies found to have willfully or repeatedly violated employees' rights during an organizing campaign or first contract negotiations.**
- **b. Triple Back Pay: Increases to three times the back pay amount a company is required to pay when an employee is discharged or discriminated against during an organizing campaign or first contract negotiations.**

Strengthens Penalties against Companies which Break the Law (cont.)

- **c. Mandatory Applications for Injunctive Remedies: Requires the NLRB to seek a federal court injunction when there is reasonable cause to believe a company has discharged or discriminated against employees, threatened to do so, or engaged in conduct that significantly interferes with employee rights during an organizing campaign or first contract negotiations.**

The passage of the Employee Free Choice Act is essential to the APWU membership

The Employee Free Choice Act is the most significant labor legislation in decades. This bill would allow workers who want to form unions a fair opportunity to do so. The passage of this legislation is also in the *'self interest'* of postal employees.

The passage of the Employee Free Choice Act is essential to the APWU membership

The Employee Free Choice Act is important to workers who already are in unions. Corporations increase their profit margins by cutting workers' pay and benefits. A large pool of non-union workers allows these corporations to put downward pressure on workers' attempts to negotiate for decent pay.

The passage of the Employee Free Choice Act is essential to the APWU membership

A survey of non-union workers revealed that 60 million of these workers want to have a union in their workplace. Among the many “unorganized” workers are truck drivers, custodians, mail processors, parcel sorters, and retail clerks who work for contractors that perform the same work as APWU bargaining unit employees.

The Employee Free Choice Act and the APWU

The passage of the 'Act' will impact postal workers in two ways.

- Pay Comparability
- Contracting Our Postal Work

The Employee Free Choice Act and the APWU

Postal workers negotiate wages using pay comparability to justify wage increases. If wages of comparable workers are low, postal workers will have a difficult time arguing for wage increases. Other workers, doing similar work, are making far less because they don't have a union to bargain for better wages and benefits.

The Employee Free Choice Act and the APWU

With this bad economy, along with a weak labor movement and millions of unorganized workers, the USPS is expected to ask for wage and benefit concessions. We expect the COLA, healthcare premiums, and job security to be issues. It's called the '*Walmart*' effect. Because Walmart pays low wages and offers meager benefits, it's argued that all workers should receive low wages and benefits.

How Do We Educate Our Membership About the Employee Free Choice Act?

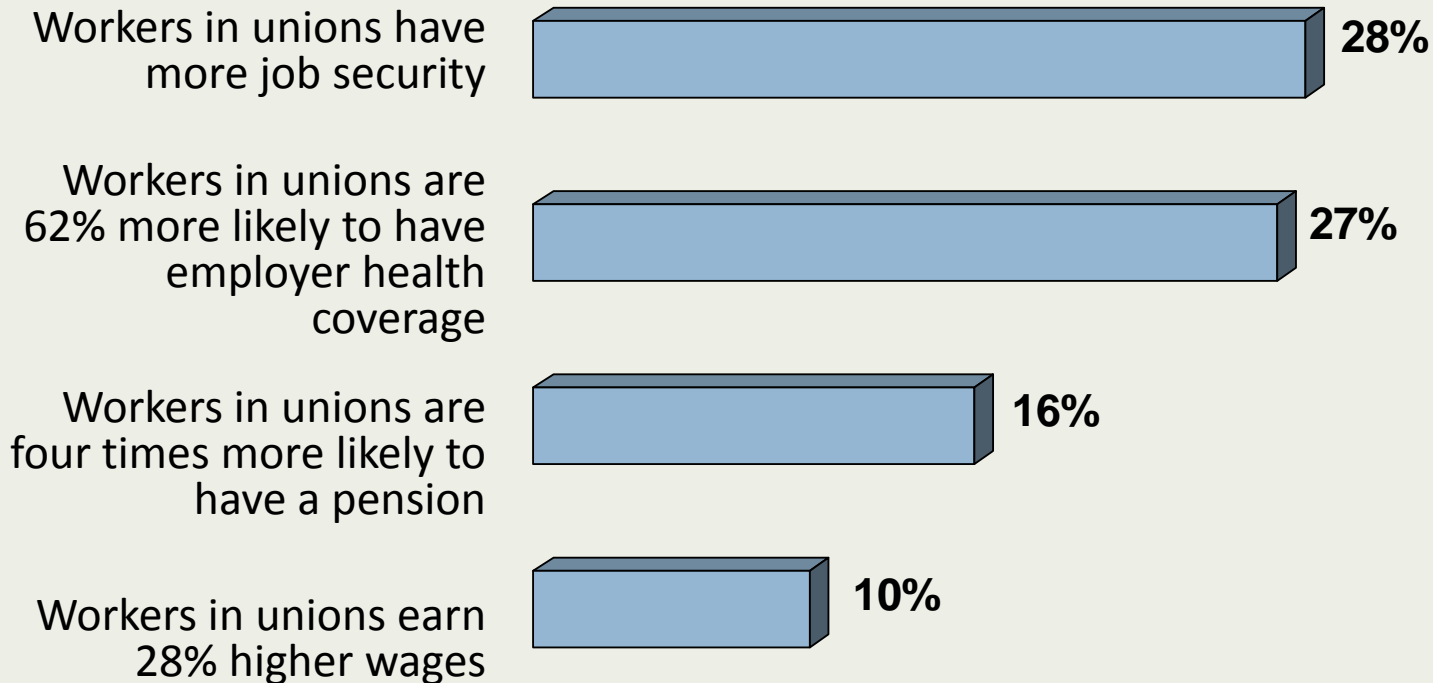
Local leaders will be charged with educating our members about the Employee Free Choice Act, and why it is vital for postal workers and their allies to work hard at getting this important legislation passed. We know that workers accept the message better from other workers.

Employee Free Choice Act Survey

The survey of 1,007 adults nationwide and 404 Union Members was conducted in December 2008 by Hart Research Associates. This survey revealed that the most important reason to make it easier for workers to form unions is because unions provided more job security and union jobs were more likely to provide health insurance benefits.

Health Care, Job Security, Pensions Trump Wages

*Most important reason to make it
easier for workers to form unions*



The Employee Free Choice Act

Big Business will attack the passage of the 'Act' with the '**Big Lie**' that:

- Passage of the Employee Free Choice Act will eliminate government-supervised secret ballot NLRB elections for workers to decide to have a union at their workplace.

It's called the '*Big Lie*' because

The secret ballot:

Workers can still choose a secret ballot election if they want one—this legislation puts the choice on HOW to form a union back into workers' hands. Under present law, a union can be recognized without a secret ballot election – *only if the boss decides not to have one!!*

The Employee Free Choice Act

Big Business will attack the passage of the 'Act' with the '**Big Lie**' that:

- Passage of the Employee Free Choice Act is un-democratic because it gets rid of secret elections.

It's called the '*Big Lie*' because

Union democracy:

The process is MORE democratic because it allows workers to choose HOW to form their union—including by secret ballot if they want – instead of their boss making that decision.

The Employee Free Choice Act

Big Business will attack the passage of the 'Act' with **The Big Lie** that:

- Passage of the Employee Free Choice Act will make it easier to form unions, and in these tough economic times, that it would do more harm than good.

It's called the '*Big Lie*' because

The economy:

An economy built on income inequality—where CEOs have all the power and working families do not share the benefits of economic growth and do not have money to spend or save—is not an economy that can succeed. That's why the Employee Free Choice Act is so important – it gives workers the freedom to bargain for better benefits and wages.

What Locals Can Do

- Contact congressional representatives
- Donate funds to the media campaign
- Recruit local activists for EFCA training
- Get workers' stories from family members
- Invite AFL-CIO representatives to membership meetings, seminars, and conventions
- Do letter writing to your congressional representatives at your meetings

The Employee Free Choice Act

- “It’s time our economy worked for everyone again.”

Affiliate with Your State and Central AFL-CIO Organizations

- Local affiliation with state and central AFL-CIO bodies is vital to win this fight. That is why the national union has urged locals to become members of their state AFL-CIO and central labor bodies.

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End of Presentation

Terry Stapleton, our Secretary-Treasurer, would like to thank you for participating in this presentation. Your feedback is very important to us because it will help us improve the presentation on this important issue.

Please feel free to email your comments to:

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Delores Sutton in the Secretary-Treasurer's Department.