

What is the Employee Free Choice Act (EFCA)?

The Employee Free Choice Act is a proposed law that will restore a fair process that allows people to decide whether or not they will form a union in their workplace.

How will the Employee Free Choice Act restore a fair process in the workplace?

1. It will allow Certification on the basis of Majority-Sign Up
2. It will provide for First-contract mediation and arbitration
3. It will set stronger penalties for violation while employees are attempting to form a union or attain a first contract.

Myths about the Employee Free Choice Act

Myth: the Employee Free Choice Act will take away Secret Ballot Union Elections

Fact: The Employee Free Choice Act will give people the ability to choose how they will form a union. Presently employers control the entire process.

Background: There have been two options for choosing a union since 1935: majority sign-up or a National Labor Relations Board (NLRB) election process. Under the Employee Free Choice Act these two options will still exist. The difference will be that a majority of workers will decide between the two options instead of management making the decision for the employees.

Changes to labor law over the past 70 years have given employers excessive influence and have severely weakened the rights of workers. Today, workers who try to form unions are intimidated, harassed, discriminated against or fired. The Employee Free Choice Act will restore a fair process that allows people to decide whether or not they want to form a union in their workplace.

Myth: Workers feel pressured by co-workers to vote for a union in a majority sign-up election.

Fact: Academic studies show that workers who organize under majority sign-up feel less pressure from co-workers to support the unions than workers who organize under NLRB election process. It is illegal for anyone to coerce employees to sign a union authorization card and any person who breaks the law will be subject to penalties under labor law.

Myth: Secret-ballot union elections allow employees a free and fair opportunity to make their own decisions about unions.

Fact: By the time employees get to vote, the environment has been so poisoned that free and fair choice isn't an option.

Background:

- 25% of employers illegally fire at least one worker for union activity during organizing campaigns.
 - 78% of employers force employees to attend one-on-one meetings against the unions without supervision.
 - 92% of employers force employees to attend mandatory closed-door meetings against the union,
 - 51% of companies threaten to shut down if the union wins the election.

