

Why Do We Need the Employee Free Choice Act?

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

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 imposes meaningful financial penalties on employers who engage in illegal activity against workers trying to organize a union.

The law will also guarantee that newly formed unions have a smoother process toward negotiating and implementing a first contract with their employer. Because of stalling tactics and bad faith negotiating only a third of newly formed unions are able to achieve a first contract in under a year. The Employee Free Choice Act will mandate mediation and arbitration if both sides can't reach an agreement within three months of union recognition.

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, employers will be penalized for abusing workers who are seeking a voice at their job, and newly formed unions will have a clear path for negotiating a first contract.