

Law of the Workplace

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CLIENT ALERT

BIG LABOR'S DIVISIVE CARD CHECK LEGISLATION INTRODUCED IN BOTH SENATE AND HOUSE

Bud O'Donnell

In return for Big Labor's political and financial backing during the recent election season, on Tuesday Democrats introduced in both the House and Senate the divisive "Employee Free Choice Act" ("EFCA"). At stake is legislation representing the most radical, troublesome and unnecessary overhaul of the nation's labor law in over 60 years.

Through EFCA, the Democrats and Big Labor aim to make union organizing much simpler by essentially eliminating secret ballot elections and instead allowing employee card checks. Another outrageous and possibly unconstitutional provision of EFCA would force employers and unions to submit to mandatory binding arbitration when negotiating a first-time collective bargaining agreement. Not surprisingly, organized labor has identified the disgraceful EFCA as its number one legislative priority.

At this point it is unclear whether Senate Democrats have enough votes to overcome a Republican filibuster. One positive sign is EFCA has fewer sponsors in both the House and Senate than it had when introduced in past Congressional sessions. Nevertheless, in order to defeat EFCA, all employers are urged to make their voices heard and join the ground swell of opposition to Big Labor's appalling proposal.

This material is intended to provide you with information regarding a noteworthy legal development. It should not be regarded as a substitute for legal advice concerning specific situations in your operation. If you have any questions or would like additional information on this topic, please contact our Firm at (860) 727-8900 or www.siegeloconnor.com.

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