

Minnesota Business Leaders

A coalition powered by the U.S. Chamber of Commerce along with chambers, associations, and businesses to save the secret ballot.



Update:
Week of November 2

HOLD THE DATE



MBL Coalition Members are taking action TODAY to stop this misnamed and misguided legislation

The coalition of business organizations is your go to source for EFCA information

Proposed changes in the composition of the National Labor Relations Board (NLRB) have caused a stir on Capitol Hill. As labor sees EFCA sitting behind front-burner issues like health care reform, financial regulatory reform and cap-and-trade legislation, the opportunity for labor to pursue some of its goals through the NLRB has gained traction. Political wrangling in the Senate has left the NLRB with only two seats out of five filled for the past two years. However, President Obama has nominated three individuals to the NLRB to fill the board, with one of them being quite controversial.

As you will see in this week's articles, changes in the NLRB's composition very well might mean judgments from the NLRB will be more "friendly" to labor's perspective. However, major changes to labor law will have to come through legislation, meaning the push for EFCA will continue as the mid-term elections loom on the horizon.

and updates. Thanks to all of our members for joining the fight to save the secret ballot!

Albert Lea-Freeborn County Chamber
 Alexandria Lakes Area Chamber
 Apple Valley Chamber
 Austin Area Chamber
 Brainerd Lakes Chamber
 Burnsville Chamber
 Chamber of Commerce of Fargo Moorhead
 Chamber Grand Forks/East Grand Forks
 Dakota County Regional Chamber
 Duluth Area Chamber
 Eden Prairie Chamber
 Edina Chamber
 Elk River Area Chamber
 Fairmont Area Chamber
 Faribault Area Chamber
 Greater Wayzata Area Chamber
 Grand Rapids Area Chamber
 Hastings Area Chamber
 Hutchinson Area Chamber
 I-94 West Chamber
 International Falls Area Chamber
 Lakeville Area Chamber
 Litchfield Chamber
 Marshall Area Chamber
 MetroNorth Chamber
 Midway Chamber
 Minneapolis Regional Chamber
 Minnesota Chamber
 MN Associated Builders & Contractors
 MN Automobile Dealers Association
 MN Beverage Association
 MN Business Partnership
 MN Grocers Association
 MN Lodging Association
 MN Restaurant Association
 MN Trucking Association
 MN Warehouse Association
 North Hennepin Area Chamber
 Northfield Area Chamber
 Owatonna Area Chamber
 Printing Industry of MN
 Redwood Area Chamber
 Richfield Chamber
 River Heights Chamber

Speaking of elections, this week's election results in Virginia and New Jersey have dominated headlines. While pundits are arguing about the impact of the GOP pick-ups, columnist Michael Barone wrote a piece for the *Wall Street Journal* titled "Tuesday's Biggest Loser" that is worth checking out in this week's newsletter.

Additionally, as you hopefully noticed in the previous edition of *Minnesota Business Leaders*, the U.S. Chamber of Commerce has announced the dates for the 2010 America's Small Business Summit in Washington, D.C. Please **SAVE THE DATES** of May 17-19, 2010 on your calendar for this exciting event and check the event Web site (<http://www.uschambersummit.com/sbsummit/>) as more details are announced.

Who Really Lost in Tuesday's Elections

Looking back at Tuesday's elections in Virginia and New Jersey, it is easy to overlook those who are likely the biggest losers going forward. In the *Wall Street Journal*, commentator Michael Barone succinctly makes the case that SEIU President Andy Stern and his fellow labor union leaders lost the most this past Tuesday. After organized labor spent \$400 million (of which the SEIU spent \$60 million) in 2008 supporting then-candidate Obama and other Democrats, their gamble doesn't look to be paying off. Mr. Barone's piece, aptly titled "Tuesday's Biggest Loser: the Union Agenda" can be found [here](#).

NLRB Appointments Add Another Front to Efforts to Protect Worker Rights

With pending changes in composition to the NLRB

Rochester Area Chamber
 Saint Paul Area Chamber
 Saint Peter Area Chamber
 SouthWest Metro Chamber
 St. Cloud Area Chamber
 Thief River Falls Chamber
 TwinWest Chamber
 U.S. Chamber
 Waconia Chamber of Commerce
 Wahpeton Breckenridge Area Chamber
 White Bear Area Chamber
 Willmar Lakes Area Chamber
 Winona Area Chamber
 Worthington Area Chamber

Take Action Now!

Talk of action on EFCA commands that we continue to educate and let our individual voice be heard! To contact your elected officials:

- 1. Go to www.mnbusinessleaders.com.**
- 2. Click on "Take Action Now!"**
- 3. Send a message urging them to reconsider their stance on EFCA.**
- 4. Pass the link on to your friends and colleagues.**

MBL Resource Website

Visit the coalition's new website TODAY!

www.mnbusinessleaders.com is your information source for all things card check. The site has all of the EFCA resources and information you and your members will need. Powered by the U.S. Chamber, you will find links to the Chamber's card check Toolkit, EFCA facts and figures, and all of the latest news on the legislation.

likely around the corner, business leaders face a new front in the fight to protect worker rights. Of particular concern are areas where the NLRB can stretch existing laws. In an October 20, 2009 article in *The Hill* titled "[Business, labor bring fight to NLRB](#)", Steven Law, general counsel and chief legal officer for the U.S. Chamber of Commerce said, "There are some aspects of the Employee Free Choice Act that can only be achieved legislatively. The concern is the NLRB sets the rules of the game for organizing." This shift by the administration to seek more of labor's agenda through revisions and rulings adds another dimension for Minnesota's business leaders to be aware.

Sen. John McCain (R-Ariz.) has blocked a full Senate vote on NLRB nominee Craig Becker, who is currently a labor lawyer. In an October 21, 2009 [posting](#) from the *Wall Street Journal's Washington Wire*, current NLRB Chair Wilma Liebman, an appointee of President Obama, described the likelihood of changes occurring from decisions by the NLRB:

"...the board could act on its own to cut the period leading up to unionization elections by changing the order of certain administrative procedures. I would suggest that (the election process) is not working as it was intended if the people who would be the prime users are turning away from it" said Liebman, who is a Democrat. 'Something's wrong.'

But Liebman said the board's ability to make changes to current union organizing practices is constrained by 70 years of board precedent since the 1935 passage of the National Labor Relations Act. 'There is a limit to the wiggle room that we actually have,' she said. 'Fundamental change is only going to come through legislation.'"

Labor Backs Changes at NLRB

America's Leading Newspapers Weigh In

The editorial boards of some of the nation's leading newspapers, such as the Wall Street Journal, the L.A. Times, and the Washington Post, took a look at the Card Check bill. They concluded decisively that the legislation effectively eliminates private ballots. See the link below and read for yourself.

» [Read the editorials](#)

Have you Joined the Virtual March against Card Check Yet?



Click on the image above to do so!

Minnesota Business Leaders: Your Go-To Resource

Click [here](#) for a list of the coalition's contacts.

and Passage of EFCA

In a speech at the Reuters Auto Summit held this week in Detroit, United Auto Workers president Ron Gettelfinger, emphasized both the importance of President Obama's recent appointments to the NLRB and the push for passage of EFCA. While all three of President Obama's nominees were passed out of the Senate HELP Committee, a procedural motion in the Senate has blocked a full vote for the time-being. If and when the nominees are seated on the NLRB, the UAW and other labor leaders will continue to focus on passage of EFCA as well as seek favorable rulings from an NLRB that will likely be more amenable to their concerns. The full article from *Reuters* can be found [here](#).

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