
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 June 15

Are You a Coalition Member Yet?

This week the **Redwood Area Chamber & Tourism** joined the coalition - bringing the total number of MBL members to 58. Thank you for signing on! **If your organization is still thinking about joining the fight to save the secret ballot, contact us today.**

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

From the U.S. Chamber...

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 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 &
 Tourism
 Richfield Chamber
 River Heights Chamber
 Rochester Area Chamber
 Saint Paul Area Chamber
 Saint Peter Area Chamber
 SouthWest Metro Chamber

CHAMBER OF COMMERCE
 OF THE
 UNITED STATES OF AMERICA

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 EXECUTIVE VICE PRESIDENT
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June 17, 2009

TO THE MEMBERS OF THE UNITED STATES SENATE

As support for the Employee Free Choice Act (EFCA) has dwindled, there is now much discussion of possible "compromises." As a preliminary matter it is important to make clear that the U.S. Chamber of Commerce, the world's largest business federation representing more than three million businesses and organizations of every size, sector, and region, does not believe that any discussions which are based on EFCA, or pursue the same goals can be fruitful. EFCA is unbalanced and utterly removed from genuine labor law reform.

One of the ideas that is apparently on the table is some type of alternative that would amend the current provisions in EFCA which impose binding interest arbitration on employers under the existing structure of the Federal Mediation and Conciliation Services. These changes would require someone to be appointed who would, quite literally, be empowered to write and impose the actual contract governing any and every term and condition of the workplace. That contract would be binding for two years and the workers would have no rights to even vote on the contract. These provisions would apply to every business of any size across the economic spectrum. The drafter of this contract may know nothing about the business in question. This grant of authority to the government to step in and mandate an agreement is completely unprecedented and unacceptable to the business community. Not surprisingly, surveys of the public have found opposition to this approach.

To justify these provisions, or perhaps to support some type of alleged compromise, the unions have deliberately tried to muddy the waters by arguing that the business community's support for dispute arbitration is somehow inconsistent with its opposition to interest arbitration as envisioned by the Employee Free Choice Act. This is a desperate attempt at smoke and mirrors because the two situations have absolutely nothing to do with each other.

Dispute arbitration is used to resolve factual disputes (such as whether or not an employee was properly discharged or disciplined) - after a contract has been entered into by the parties. There is long-standing precedent for this type of arbitration and surveys demonstrate its utility and support by the public. This is entirely different from what EFCA calls "arbitration." What EFCA entails in its interest arbitration language is a broad grant of authority to an outside person or entity to actually write and determine every provision of the underlying contract governing an entire workplace - and force the parties into that contract. The comparisons are entirely spurious.

The unions remain troubled by the facts and are trying to deliberately confuse the issues. However, no amount of obfuscation will hide the true impact of the Employee Free Choice Act. Government-mandated binding interest arbitration of any type in the private sector is unworkable and unacceptable. It is also completely unrelated to the business community's support for dispute arbitration.

Thank you for your consideration of this matter.

Sincerely,



R. Bruce Josten

This letter to Congress from the U.S. Chamber, which was sent earlier this week, advocates against the binding interest arbitration provisions of EFCA. Feel free to use the letter as a guide for your own correspondence! Click [here](#) to view a PDF version.

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

MBL Resource Website

Have you visited the coalition's new website yet?

<http://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.

Communicate with Your Members!

Many organizations are using the MBL e-newsletter as a regular communications tool by forwarding it on to their interested members. We encourage you to do the same!

Minnesota Business Leaders: Your Go-To Resource

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



As noted last week, the U.S. Chamber recently released the most up-to-date review of EFCA, **The Employee Free Choice Act: Piercing the Rhetoric**. As a critical ally in the fight against card check, we want you to be the first to know about new developments and what they mean for American businesses and workers. To get the facts, [download the report](#) for measured analytics that prove EFCA is not in the best interest of anyone.

AFL-CIO Debunks Rationale for EFCA

by Glenn Spencer

This past weekend, the AFL-CIO was unusually frank about the potential fallout should the so-called Employee Free Choice Act become law. According to Daily Labor Report, the labor conglomerate's director of collective bargaining, Gordon Pavy, told a policy forum that the bill's passage would allow his organization to "refocus on organizing."

Hold it a second. Refocus? Hasn't this already been a central focus of the labor movement? Pavy's comment reveals [what we've known all along](#): organized labor has let its organizing efforts lapse in favor of using the political process to bolster its ranks by rigging the rules. Pavy also fired a shot across the bow of industries the AFL-CIO intends to organize, which he says includes "finance and banking."

On the issue of concluding first contracts, Pavy also revealed that "the AFL-CIO does not currently have a program to train members in how to negotiate collective bargaining agreements." Huh? A **favorite talking point** of EFCA supporters is that they can't get contracts because employers drag out negotiations. Perhaps unions would seal the deal on more contracts if they made training negotiators a priority.

Instead, unions want binding first contract arbitration so they always get a contract no matter what they demand at the bargaining table. But, Pavy detailed the squeeze this would create on negotiating parties:

"Bargaining must commence 10 days after [union authorization cards are signed]," Pavy said. "It takes a lot of work to prepare for bargaining. It takes even more work when you're dealing with the prospect of possibly going to arbitration."

We've said all along that negotiating for a first contract can be a difficult process that takes time. Nice that the AFL-CIO agrees. But as they admit, setting up a race against the clock makes that process even more difficult, guaranteeing that most negotiations will wind up in arbitration.

Unfortunately, letting government arbitrators impose wages, benefits and productivity killing union work rules like those that brought down GM is a recipe for job losses.

As a whole, Pavy's admissions about organizing and contract negotiations undoubtedly furrowed some brows in labor circles. Between the lines it's pretty clear that for organized labor the Card Check bill is about stacking the deck, not leveling the playing field.

Glenn Spencer is the executive director of the Workforce Freedom Initiative at the U.S. Chamber of Commerce to preserve workplace democracy, prevent adoption of organized labor's anti-business agenda, and rein in abusive union pension fund activism. Before joining the Chamber in July 2007, Spencer spent nearly six years at the U.S. Department of Labor in the Office of the Secretary, serving as the deputy chief of staff and acting chief of staff to Secretary of Labor Elaine L. Chao.

You are receiving this email because you recently joined the Minnesota Business Leaders coalition or you are a chamber or business association in Minnesota that may have interest in becoming active on this issue.

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