

# OPEN SHOP GAZETTE

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On Friday, November 14, 2008 an editorial appeared in the *Riverside Press-Enterprise*, written by Froma Harrop. The editorial titled "Keep Union Ballots Secret", expresses some concerns that are being attributed to our newly elected Democratic President and his desires to "pay back" the unions for all their monetary support during the election.

"The first campaign promise President-elect Barack Obama should break is the one to push through the Employee Free Choice Act. That harmless-sounding piece of legislation would let union organizers do an end run around secret-ballot elections: Companies would have to recognize a union if most workers signed cards in support of it.

We're not children here. We know how those majorities can be reached. There's repeated harassment, bullying and more inventive tactics, such as getting workers drunk, then sliding sign-up cards under their noses. Meanwhile, any strong-armed tactics by employers can be dealt with.

Unclear is why unions even want to go there. Their decline is one reason for the failing fortunes of American workers, particularly those without college educations. Unions have an interesting product to sell. Surely, they can persuade workers to support them in the privacy of a voting booth. That's how Obama and the enhanced Democratic majority in Congress got where they are.

Former Democratic presidential nominee George McGovern, a pro-labor liberal, has come out against the so-called card-check provision. He calls it "disturbing and undemocratic."

This may sound obvious, but friends of labor should want what's good for laborers. Some of the best companies to work for – Whole Foods, for example – are not unionized. Such employers offer superior pay and benefits precisely to keep their workers happy and not eager to organize. They worry that unions would reduce their flexibility in managing labor.

What's wrong with letting companies that do not want to be unionized compete for the workers affections? If the employees don't get an acceptable deal, then they will join a union. The notion that they wouldn't vote their interests in a secret ballot makes zero sense.

Your writer has belonged to several unions – the Teamsters and two Newspaper Guild Chapters. To her, the unions have given and they have taken. Thanks to them, her pay was often better than it would have been otherwise. But, at times, the union work rules hindered career advancement. And let's face it: A good part of union dues goes to the administrators' own compensation and junkets.

Some of my union officials had watched too many B-movies. That would explain the occasionally dismissive or threatening lines' with which they addressed the rank and file. A threat was once directed at me on the first day of the job. Actually, it was more of a pre-emptive warning, lest I "ever, ever" go over the shop steward's head – something that had never, never occurred to me. (You can guess which union that was.)

The point is that while unions are often good for employees, they're not always. We shouldn't start with the assumption that a unionized workplace is better than a non-unionized one. The secret ballot lets workers make that judgment without an organizer (or company official) breathing down their necks.

The argument for private voting is evident, which may be why supporters of the Employee Free Choice Act spend so much time vilifying its opponents – the Chamber of Commerce, Wal-Mart, even McGovern – rather than explaining its merits.

With Democrats ascendant in Washington, labor leaders will have ample opportunity to fight the chamber. And I hope they unionize the daylights out of Wal-Mart the fair old fashion way. But they should leave the brave McGovern alone.

Whatever a new President Obama and his supercharged Democratic majorities owe labor can be paid in other ways. The ridiculously named Employee Free Choice Act really is disturbing and undemocratic – and can be easily caricatured as such by the Republican opposition. It is also bad public relations for unions. If they have so much to offer, why are they afraid of a secret ballot?"

