



Strength & Honor  
in the Workplace

Adams, Nash, Haskell & Sheridan

## HEADS UP

### Barack Obama & the Employee Free Choice Act

July 24, 2008

The attached video clip says it all.

If Obama wins, the Employee Free Choice Act will be a reality.

Picture this scenario:

Your employees get invited to a picnic at a popular location this Sunday. The invitation advertises free drinks and food, and Jimmy Buffet will be there to do a little ditty. A bunch of your people go and have a great time. The union, who arranged the gig, had everybody who attended fill out this little union card...a majority filled them out. On Monday you get a demand for recognition and request for NLRB certification of representative from the union host. No campaign, no delays, just sit down and commence bargaining.

Fast forward 120 days...you can't reach a contract with the union. The dispute goes to an arbitrator who *splits the baby* and sets the rate 50% higher than your already competitive offer and 50% lower than the union's demand. You protest, to no avail, that all the union has done is say "No" at the contract table. (They knew the arbitrator would award their obstructive tactics and set the contract at a higher than reasonable point.)

This is the Employee Free Choice Act.

Union free employers cannot wait until this happens. Vulnerability needs to be assessed, defenses need to be hardened and issues need to be remedied.

Call with questions.

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