



Adams, Nash, Haskell & Sheridan

HEADS UP

Saxbe Chambliss, EFCA, and the New NLRB

December 3, 2008

With Senator Chambliss' (R-Georgia) re-election victory yesterday in the Georgia rerun, the Democrats in the Senate were slowed down in passing the Employee Free Choice Act. Now, even if Norm Coleman's (R-Minnesota) seat would be lost in a recount, the Democrats would not, in terms of party affiliation, hold a filibuster-proof majority.

Reign in your optimism. Arlen Specter (R-Pennsylvania) is committed to voting for this legislation, and Susan Collins and Olivia Snow (both Vermont Republicans) are never conservative stalwarts. They cannot be trusted to vote against the EFCA. It is still likely this bill will be brought to the Senate floor sometime next year, and it can be passed with the current composition of Congress.

The attached is a reprint of a BNA published interview with Wilma Liebman, the remaining Democrat on the NLRB. She is a likely nominee for the Chairwoman's seat on an Obama NLRB. Her last quote is a neon sign of where she would like the federal labor law to go. She would open coverage up to jobs that are currently excluded, allow minority bargaining rights, and add to the list of mandatory subjects of bargaining, which could further infringe on the employer's right to manage.

Acute vigilance is prudent for all union-free employers. Smart unions are organizing now and holding the authorization cards until they see what happens next year. Remember, those cards are good for 1 year from the date they are signed. Issue identification and remedy, management awareness, and strategic labor relations planning are imperative before the new administration is in place.

Best regards,

William R. Adams, Ph.D.
President & CEO
Adams, Nash, Haskell & Sheridan
1-800-237-3942
Website: www.anh.com

1-800-237-3942

859-331-7711
www.anh.com