

Forced-Unionism Abuses Exposed

The facts Big Labor bosses would rather you didn't hear about.

National Right to Work Committee® • 8001 Braddock Road • Springfield, Va. 22160
www.nrtwc.org • (703) 321-9820 • (703) 321-7143 (fax)

Vol. 6, No. 5 – May 2007

Compulsory unionism breeds corruption. In each issue of "Exposed," the National Right to Work Committee will highlight yet another example of union-boss abuse spawned and perpetuated by Big Labor's government-granted privilege to force workers to pay union dues, or be fired.

* * *

Oregon Union Bosses' 'Card-Check' Abuses Just the Tip of the Iceberg

National Labor Relations Board (NLRB) officials recently made it very clear they don't think that the Service Employees International Union (SEIU) Local 49 hierarchy in Portland, Ore., can be trusted with so-called "card checks." Now Local 49 bosses wonder why they are being singled out for their tactics, which are unscrupulous and ugly, but extremely common.

Card-check organizing is the means through which private-sector union officials have most commonly acquired monopoly-bargaining privileges in recent years.

Longstanding federal policy authorizes union bosses to acquire monopoly power to negotiate employees' pay, benefits, and work rules solely through the collection of signed "union authorization cards," as long as the employer acquiesces to the card check. Consequently, individual workers under the peering eyes of union organizers may be intimidated into signing not just themselves, but all of their nonunion fellow employees, over to union-boss control.

And as hundreds of employee complaints filed with the NLRB in recent years bear witness, Big Labor does in fact routinely resort to intimidation and fraud to obtain signed cards from employees.

In one such complaint, filed in February with the assistance of National Right to Work Legal Defense Foundation attorneys, office cleaner Ryan Canney charged that SEIU Local 49 bosses had lied to employees of SBM, the cleaning contractor for which he works. According to Mr. Canney, employees were told the company had already recognized the union as the monopoly-bargaining agent at their worksite, the Siltronic facility in Portland.

Mr. Canney also charged that some of the cards SBM had used to determine in October 2006 that Local 49 had majority support at the Siltronic site were signed by people who were no longer employed with the company that fall. Finally, he charged that union organizers had promised benefits to signers based on illegal prerecognition negotiations with SBM.

Mr. Canney also pointed out that SBM had clear evidence that a majority of employees at the site actually opposed having Local 49 as their monopoly-bargaining agent. Shortly before SBM recognized the union, it received a petition opposing unionization signed by a majority of employees.

Having learned about Local 49 bosses' cutthroat card-check tactics with SBM employees in 2006 and also with employees at a Portland office of the Kaiser Permanente HMO in 2005, NLRB officials decided late last month to force a settlement on Local 49 bosses that not only rescinds their monopoly-bargaining privileges over SBM employees, but also requires them to cease all card-check organizing in Oregon and Washington until late October.

NLRB officials thus sent out a clear message that they believe Local 49 bosses have habitually abused the privilege to corral employees into their union through card checks.

There's ample evidence for the NLRB's belief. Even Local 49 spokeswoman Shauna Ballo now admits that, at the time SBM managers consented to monopoly bargaining at the Siltronic site, a majority of employees did not support Local 49.

Nevertheless, Ms. Ballo has a point when she complains that the NLRB's imposed settlement on Local 49 bosses is out of line with the way officials of other SEIU locals and international unions have been treated in similar cases. The fact is, there are many SEIU and other union bosses around the country who have been credibly charged with using fraud and intimidation to win card-check campaigns without yet experiencing any NLRB sanction.

For example, more than four months ago, West Virginia assisted-living employee Walter Coeburn filed, with Foundation attorneys' assistance, NLRB charges against the union bosses of SEIU District 1199 and his employer, ResCare, Inc.

Mr. Coeburn charges, in part, that District 1199 bosses obtained sufficient authorization cards to win monopoly-bargaining power at his ResCare unit by falsely telling many employees that signing the cards was only a request "to get more information." And last year a majority of employees in the unit signed a petition asking the NLRB to conduct an election to ascertain whether or not SEIU union bosses really have majority support. But the NLRB has yet to act.

And incredibly, this spring the current majority leaders in Congress are pushing for passage of legislation (H.R. 800 and S. 1041) that would make it even easier for union bosses to secure monopoly power through card checks – despite widespread evidence of Big Labor card-check organizing abuses.

Instead of promoting card-check coercion, Congress needs to do much more to protect the freedom of independent-minded employees like Ryan Canney and Walter Coeburn. And genuine labor-law reform would not just eliminate card checks, but eliminate altogether the federal authorization for union monopoly bargaining.

#