

New Analysis Demystifies 'Top-Down' Organizing

Most Apt Label For Big Labor Tactic Is 'Cram-Down Unionism'

Over the past quarter-century, union organizing drives have more and more frequently adopted the "top-down," or "cram-down unionism," approach.

Through actual or threatened litigation, accusations of regulatory violations, negative PR campaigns, and other types of pressure, union bosses browbeat the company into helping organize the employees.

It is then up to the captive company to convey the message to independent-minded employees that all resistance to unionization will be futile.

Union organizer Joe Crump once aptly summed up the cram-down strategy in an influential labor-journal article:

"Employees are complex and unpredictable. Employers are simple and predictable.

"Organize employers, not employees."

Terms Like 'Card Check' And 'Neutrality' Designed To Conceal the Truth

Recognizing that Mr. Crump's frankness is not politically palatable, union propagandists now use terms like "card check" and "neutrality," whose contextual meanings are obscure to most Americans, as code words for cram-down organizing.

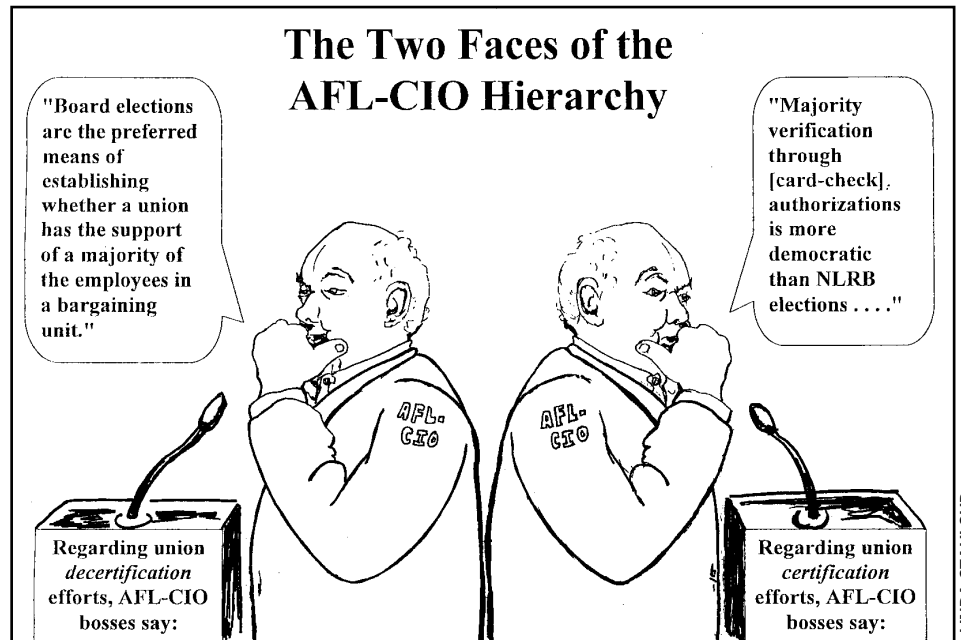
But a new fact sheet written and distributed by the National Right to Work Committee is now helping to clear the fog.

Since its publication last month, Committee representatives have used this fact sheet -- "Big Labor 'Card-Check' Schemes Rife With Abuses," www.nrtwc.org/content.php3?id=275 -- to brief members of Congress and reporters on several legislative proposals, some to expand top-down organizing, and some to restrict it.

As the fact sheet explains, card checks empower union bosses to force a business's employees to accept a union as their monopoly-bargaining agent solely through the acquisition of signed union authorization cards from 50% plus one of the employees in a "bargaining unit."

Big Labor propaganda brazenly assumes this constitutes adequate proof of majority support for unionization.

But even jurists and labor-policy experts who zealously defend Big Labor's prerogative to forcibly unionize employees through card checks have long



When AFL-CIO bosses aim to *maintain* monopoly-bargaining privileges, they support secret ballots;

when their aim is to *procure* monopoly power, they oppose secret ballots. Theirs is not a principled position.

known that's not so.

For example, Justice Potter Stewart dissented from the U.S. Supreme Court's 1974 *Linden Lumber* decision, which found that a law-abiding employer cannot be forced to recognize a union as employees' monopoly-bargaining agent based on signed cards alone.

In a footnote to his dissent, however, Justice Stewart admitted:

"Given the possibility of undue peer pressure or even coercion in personal card solicitation . . . , a higher level of objective dependability might be obtained by requiring a greater show of support than a bare majority."

Big Labor Advocacy of Card Checks a Clear Case of Expediency Over Principle

The union hierarchy's advocacy of card checks is obviously a matter of expediency, not principle.

In 1998, AFL-CIO bosses themselves told the National Labor Relations Board (NLRB) that, when it comes to efforts to *remove* a union's monopoly-bargaining privileges, "Board elections are the preferred means of establishing whether a union has the support of a majority of employees"

But in testimony before the U.S. House

this spring regarding union-boss efforts to *obtain* monopoly-bargaining privileges, AFL-CIO lawyer Nancy Schiffer insisted that "Majority verification through [card-check] authorizations is more democratic than NLRB elections"

Similarly, AFL-CIO propaganda praises employers who, under a so-called "neutrality" agreement, hold mandatory meetings for employees, during which company representatives tell workers of the firm's support for unionization.

At the same time, AFL-CIO spokesmen claim that employers who hold meetings that provide employees with information that may sway them to vote against unionization are illicitly interfering with employees' decision making!

"The bottom line is, union bosses think it should be even easier for them to obtain monopoly power to negotiate wages, benefits, and working conditions for union members and nonmembers alike," said Committee Vice President Matthew Leen.

"That's what so-called 'card checks' and 'neutrality' deals are all about.

"In contrast, any genuine labor-law reform must recognize the fact that the right to join or support a union and the right not to do so deserve equal protection under the law." 