

**WHY MAJORITY SIGN-UP?
WHAT'S WRONG WITH 'SECRET BALLOT ELECTIONS'?**

One of the most common lines of attack corporate special interests are using to stop the Employee Free Choice Act is the charge that we are trying to abandon sacred “secret ballot elections.” How do we respond?

- The real issue is how we can restore **the freedom of working people to make their own decision** about joining together to bargain for better wages and working conditions. Until working people can exercise a free choice, they will continue to lose power in our country, living standards will continue to suffer and our middle class will continue to decline. Workers need a *real choice*. They don't have it now.

Do so-called secret ballot elections allow employees a free and fair opportunity to make their own decisions about unions?

- No. By the time employees get to vote, **the environment has been so poisoned** that free and fair choice isn't an option. People call the current National Labor Relations Board (NLRB) election system a secret ballot election—but in fact it's not like any democratic election held anywhere else in our society. It's really a management-controlled election process because corporations have all the power. They control the information workers can receive and routinely poison the process by intimidating, harassing, coercing and even firing people who try to organize unions. **No employee has a free choice** after being browbeaten by a supervisor to oppose the union or being told they may lose their job and livelihood if workers vote for the union.

Among Private-Sector Efforts to Form Unions

Employers that illegally fire at least one worker for union activity during organizing campaigns:	25%
Chance that an active union supporter will be illegally fired for union activity during an organizing campaign:	1 in 5
Employers that force employees to attend one-on-one meetings against the union with their own supervisors:	78%
Employers that force employees to attend mandatory closed-door meetings against the union:	92%
Companies that threaten to close the plant if the union wins the election:	51%
Cases in which the employer never agrees to a contract after workers succeed in forming a union:	1 in 3

Just filing a petition for an NLRB election generally triggers a bitter, divisive and often lengthy campaign against pro-union employees designed to chill or destroy union support.

- Management is allowed to bombard employees with anti-union messages anywhere, anytime in the workplace. Workers can only talk about the union while they're on breaks in the break room or before or after work. Union organizers have no right to set foot in the workplace.
- Human Rights Watch, a respected international organization that investigates human rights abuses in 70 countries, has concluded that "freedom of association is a right under severe, often buckling pressure when workers in the United States try to exercise it."
- Firing workers can kill an organizing campaign by intimidating other workers; a "secret ballot election" doesn't change that. A secret ballot election doesn't make workers feel protected from management threats to shut down. The harassment of anti-union group meetings and one-on-ones with supervisors makes workers just want the conflict to go away, and an election doesn't change that. These meetings also enable management to identify and target union supporters, and coercion isn't undone even if workers vote in the privacy of a voting booth.
- Free choice should not be restricted to the heroic few. Although the right of workers to join unions is enshrined in U.S. law and international agreements, in reality the only workers who can succeed in forming unions under the NLRB election process are those willing to undertake an enormous effort, withstand tremendous pressure, undergo inordinate amounts of stress and risk losing their livelihoods. It should not be this way.

Why is majority sign-up a better way to protect employees' free choice?

- **Majority sign-up minimizes workplace conflict.** This process avoids coercion and harassment of employees and eliminates some of the delays that frustrate workers' efforts to form unions. Majority sign-up has been shown to reduce conflict, coercion and harassment as well as the delays, business disruptions and legal costs associated with the NLRB "election" process.
- **Majority sign-up is a proven approach.** Many responsible major companies such as Cingular Wireless have agreed to recognize a union when a majority of employees signs up. They have found majority sign-up to be a free and fair way to assess workers' choice—and it results in less conflict between employers and employees.
- **Majority sign-up is democratic.** Under majority sign-up, a union is formed only if a majority of all employees signs written authorization forms. Employees vote to have the union represent them by signing the forms. Any employee who does not sign a written authorization form is presumed not to support union representation.

Are workers more likely to be coerced to sign cards under majority sign-up, as opponents say?

- No. In fact, academic studies show that **workers who organize under majority sign-up feel less pressure** from co-workers to support the union than workers who organize under the NLRB election process. Workers who vote by majority sign-up also report far less pressure or coercion from management to oppose the union than workers who go through NLRB elections. In addition, it is illegal for anyone to coerce employees to sign a union authorization card. Any person who breaks the law will be subject to penalties under the Employee Free Choice Act.

Once a majority of workers indicate they want a union by signing cards, the company should not be able to drag the process out for months as they can under a management-controlled election process. The will of the majority should be recognized.