

December 10, 2008

Ms. Laura Crawford
2001 Butterfield Rd.
Suite 105
Downers Grove, IL 60540

Dear Ms. Crawford:

Thank you for contacting me to express your concerns about the Employee Free Choice Act. I appreciate hearing from you.

Opponents of the Employee Free Choice Act of 2007 have argued that the measure might undermine the rights of workers. I think that is a misreading of the legislation.

The Employee Free Choice Act would amend the National Labor Relations Act to enhance the freedom of employees to form unions and strengthen enforcement measures to deter unfair labor practices. Among other provisions, this legislation would allow employees to freely choose to form a union by collecting the signed authorizations of a majority of employees.

Employees should have the right to form a union. This act would not take away their right to a secret ballot; instead, it would establish the principle that majority support for a union is all that is necessary for the formation of a union. Under current law, workers may use the majority sign-up process only if their employer agrees. The majority sign-up method respects the free choice of workers by giving them the freedom to choose a union in a simple, peaceful way. The Employee Free Choice Act does not abolish the secret ballot election process; that process would still be available. However, elections would no longer be the only way to create a union when the employer is resistant. Majority support for a union could be demonstrated through the majority sign-up method.

The bill also addresses the bargaining process between unions and employers. It would ensure that if an agreement is not attained after 90 days of collective bargaining, the Federal Mediation and Conciliation Service could intervene and create a binding agreement for both parties. This requirement guarantees that the bargaining process will reach a conclusion in a timely manner.

Recently, the Senate voted to block consideration of this legislation.

Thank you again for contacting me on this issue. Please feel free to keep in touch.

Sincerely,

Richard J. Durbin
United States Senator

RJD/cw