

Union bill gets renewed push

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With President-elect Barack Obama set to join what could be a more labor-friendly Congress, union leaders and businesses are gearing up for another partisan fight over a bill that would make it easier to form unions in the workplace.

The Employee Free Choice Act would give unions the right to organize if a majority of employees sign cards supporting a union, eliminating the need for a secret-ballot process where many organizing drives now fail. Business groups fear the bill will drive up labor costs if more workers become unionized.

Union membership has been on a decades-long decline in the United States, from more than 30 percent of the workforce after World War II to about 12 percent in recent years.

Minnesota, where 17 percent of workers are unionized, has remained somewhat of a stronghold, but union leaders admit it's been an uphill battle. "It has been harder and harder to organize," said Candace Lund, a Minnesota AFL-CIO leader who's mobilizing support for the legislation.

Of course businesses, including some of Minnesota's largest companies such as retailers Target Corp. and Best Buy Co. Inc., are lining up to oppose it. Randy Johnson, a vice president with the U.S. Chamber of Commerce, said his group is prepared to spend \$10 million to defeat it. The so-called card check process that the legislation supports "is routinely subject to coercion on the part of union organizers," Johnson said.

Stanley S. Hubbard, CEO of Hubbard Broadcasting in the Twin Cities and an outspoken critic of the legislation, maintains that many workers don't want the legislation. "It doesn't take a genius to recognize that people don't like to be pressured or harassed," said Hubbard, alleging that often occurs when workers are asked to sign union-organizing cards. "The only protection they have is the private polling place."

Business also objects to a provision that would force binding arbitration if a union and management can't negotiate a first contract within 120 days.

Federal arbitrators would create contracts that push up costs for U.S. businesses, said Charlie Weaver, executive director of the Minnesota Business Partnership. "At the heart of it, it is a competitiveness issue," Weaver said, because American businesses would end up with a labor cost "burden" that would place them at a disadvantage with their counterparts in other countries.

This year's expected legislation is a carbon copy of a bill that sailed through the U.S. House in 2007 on a 241-185 vote but stalled in the Senate because Democrats lacked 60 votes needed to break a potential filibuster.

Positions on the bill are split pretty much down party lines, with Democrats favoring it and Republicans opposing. Organized labor groups would like to get a law enacted early in Obama's administration, though not everyone agrees Obama would want to immediately spend political capital on the issue, especially as he works to get his economic stimulus package passed.

Targeting 'virgin territory'

Retailers are making no bones about their aim to kill the legislation.

"This bill is not a right solution for anytime," said Rob Green, vice president of government affairs for

the National Retail Federation, an industry group. "Even if we're not in recession, this is bad public policy."

Twin Cities-based retailers such as Target and Best Buy have joined Wal-Mart as major retail players standing in opposition as heavy hitters in the Retail Industry Leaders Association, a powerful lobbying group. Target CEO Gregg Steinhafel is second vice chairman of the board and Best Buy CEO Brad Anderson is the immediate past chairman.

The National Retail Federation helped launch a lobbying group of 500 organizations in manufacturing, construction, hospitality and small business called the Coalition for a Democratic Workplace, whose multimillion-dollar campaigns have included a television ad with Hollywood stars and full-page newspaper ads that argue that union elections should be conducted in secret just like federal elections.

Unlike the manufacturing industry, few retail workers are unionized.

"It's virgin territory," said Bernie Hesse, an organizer for the United Food and Commercial Workers Local 789 in St. Paul and a major critic of working conditions at Wal-Mart and Target. "They might actually have to start paying a living wage if people organize."

Jim Rowader, Target Corporation's vice president and general counsel of employee and labor relations, said rather than passing new legislation, he favors strengthening current labor law "to give workers the right remedy" when companies don't bargain in good faith.

None of Target's workforce is unionized, but Rowader, who served as a field attorney for the National Labor Relations Board in Detroit, said he has seen situations where employees need unions. Just not at Target.

"Target's goal is to provide a workplace in which people don't necessarily feel that they need that kind of intervention by any party," he said. "It's all about what are we doing as leaders to engage our people so they can freely and in a trustworthy way come to us with their concerns. That's our goal. If that leads to a union-free environment, so be it."

Green, of the National Retail Federation, said the issue is not about whether unions are beneficial, but about how the union chooses to represent employees.

"Retailers are unique," Green said. "They tend not to politicize or take positions publicly on an issue, because all of your customers are your customers. The last thing a retailer wants is to be portrayed as not having their workers' best interest in mind. But you really have no chance to really convey that under a card-check situation."

No silver bullet

Still many union officials believe the legislation, if passed, isn't the silver bullet business fears. It may take several years to establish a union, even if workers clearly want to be organized, leaders say.

"I don't see this as the salvation to the labor movement by any means," said Hesse. "We still have to organize those workers. This will be added to our toolbox."

Security guards at North Memorial Medical Center in Robbinsdale recently failed to win recognition of a union at the hospital.

Adam Ahern, a hospital security officer for five years, said he and his co-workers "felt an increasingly hostile environment" and decided to organize a union. About a year ago, a majority of security officers signed authorization cards, saying they wanted to form a bargaining group through the Service Employees International Union.

"The guys who are at top pay haven't received raises in almost six years," Ahern said.

But the hospital refused to recognize the guards' efforts. Management cited a provision of the National Labor Relations Act that gives an employer the legal right to block security officers from joining the same union that represents other union workers at a company.

"North Memorial's security guards are certainly free to seek representation by a pure guard union," hospital spokesman Robert Prevost said in a written statement. He added that this "determination should be done through a secret ballot election."

Health care has been one of the few bright lights for unions. Clerical employees at Hennepin County Medical Center, where workers are public employees and governed by state laws, organized in 2005 strictly by getting their peers to sign authorization cards.

Carmen Brown, a union steward with the American Federation of State County and Municipal Employees union at HCMC, said she supports the federal legislation, because she wants other workers to have the same advantage she had when organizing. The union negotiated a 7.5 percent raise in the first contract.

Brown, who worked at corporations before joining HCMC, said, "I would never go work a job anywhere without a union."

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