

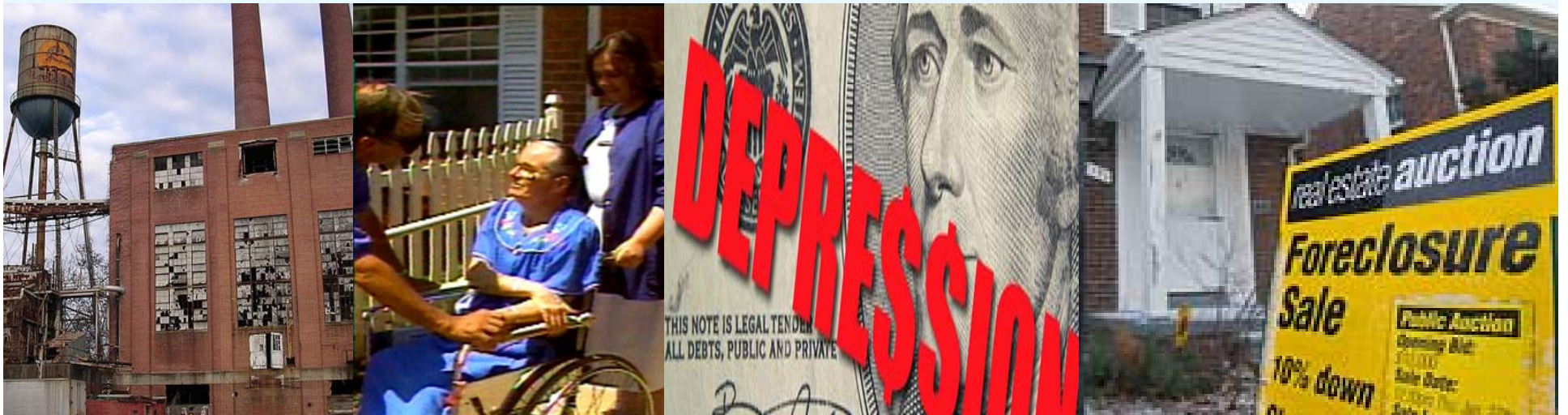
**TURN
AROUND** 2009
AMERICA

AFL-CIO

EMPLOYEE FREE CHOICE ACT

The Middle Class Is In Trouble

- Millions of Americans don't have healthcare or retirement security
- Wages are stagnating & unemployment is rising while taxpayers are bailing out Wall Street
- We need **an economy that works for everyone**



Corporations Hold All the Cards

CEOs Average Pay:

- **\$10.8M**
- **364x** workers' pay

- Demand **contracts** for themselves but oppose them for workers

- Don't treat workers fairly

- Slash wages & jobs



But the Current System for Forming Unions Is Broken

- Lets companies fire union supporters without real penalties
- **44% of companies with new unions never agree to a contract**
- Allows companies to manipulate & delay with drawn-out legal battles



The Current System Robs Employees of a Free Choice

Company	Decides how workers will form their union
Company	Delays and denies workers' free choice
Company	Fires one in five union activists
Company	Forces workers into meetings with supervisors
Company	Uses work time to intimidate workers
Company	Threatens to close if workers unionize
Company	Delays contract negotiations
Company	Treats penalties as a cost of doing business

The Current System Is Unfair

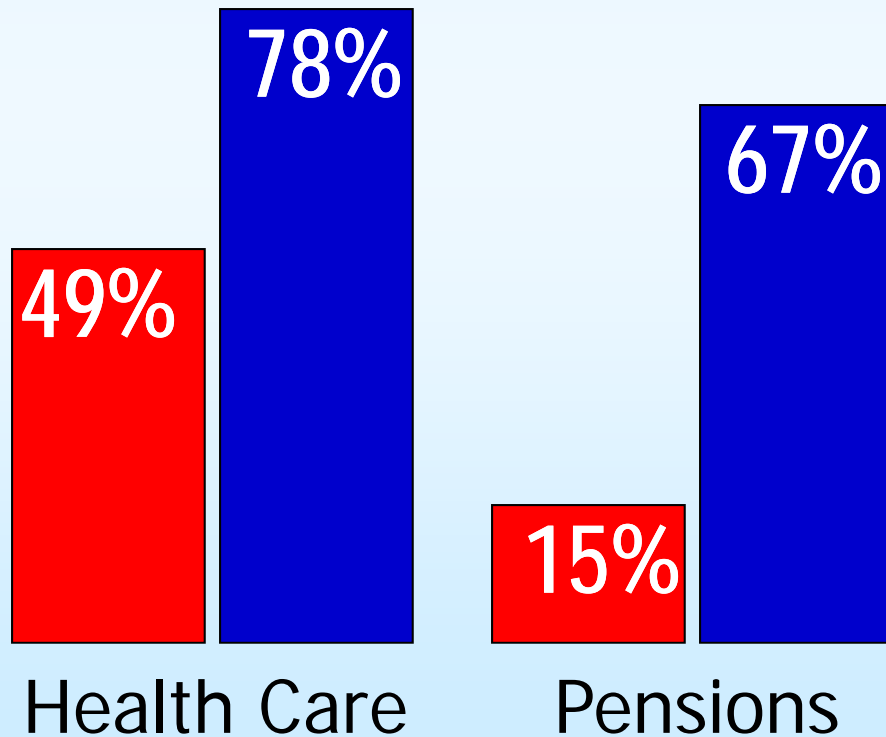
- Workers are forced into intimidating one-on-one meetings with supervisors
- Workers are illegally fired





When Workers Bargain, They Have More Economic Security

Union workers:

- 52% more likely to have health care benefits
- 3x as likely to have pensions

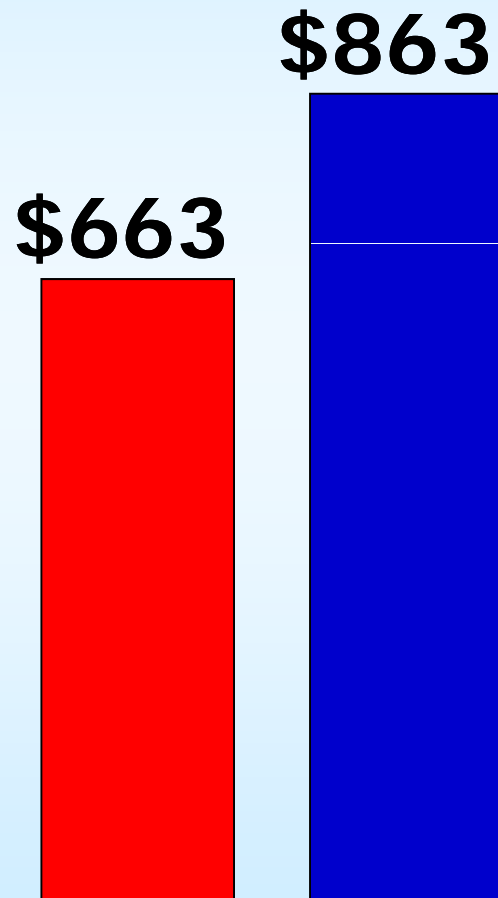


 Nonunion Workers
 Union Workers

Sources: U.S. Department of Labor, Bureau of Labor Statistics, August 2007

A Union Contract = Higher Wages

■ Nonunion Workers ■ Union Workers

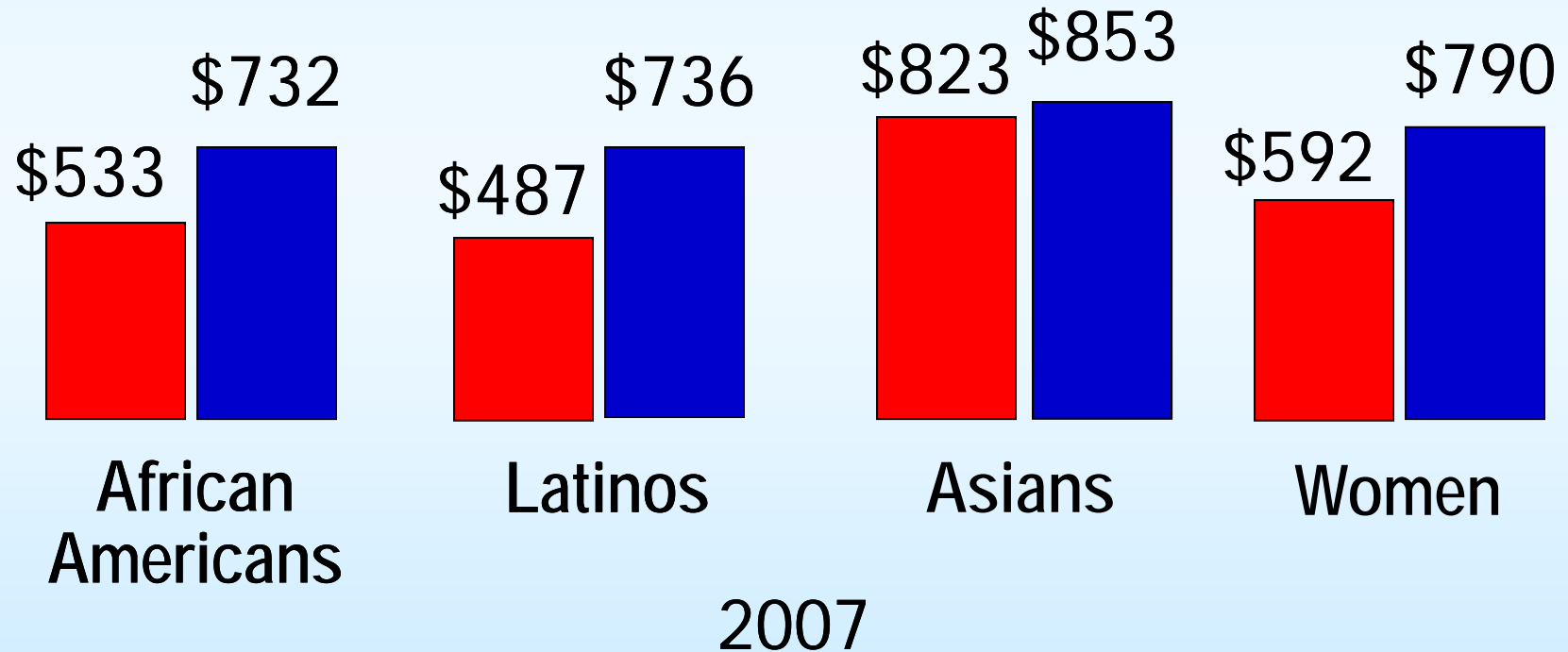


Union Advantage: **30%**

Source: U.S. Department of Labor, Bureau of Labor Statistics, Jan. 25, 2008

A Union Contract Reduces Race and Gender Wage Gaps

■ Nonunion Workers ■ Union Workers

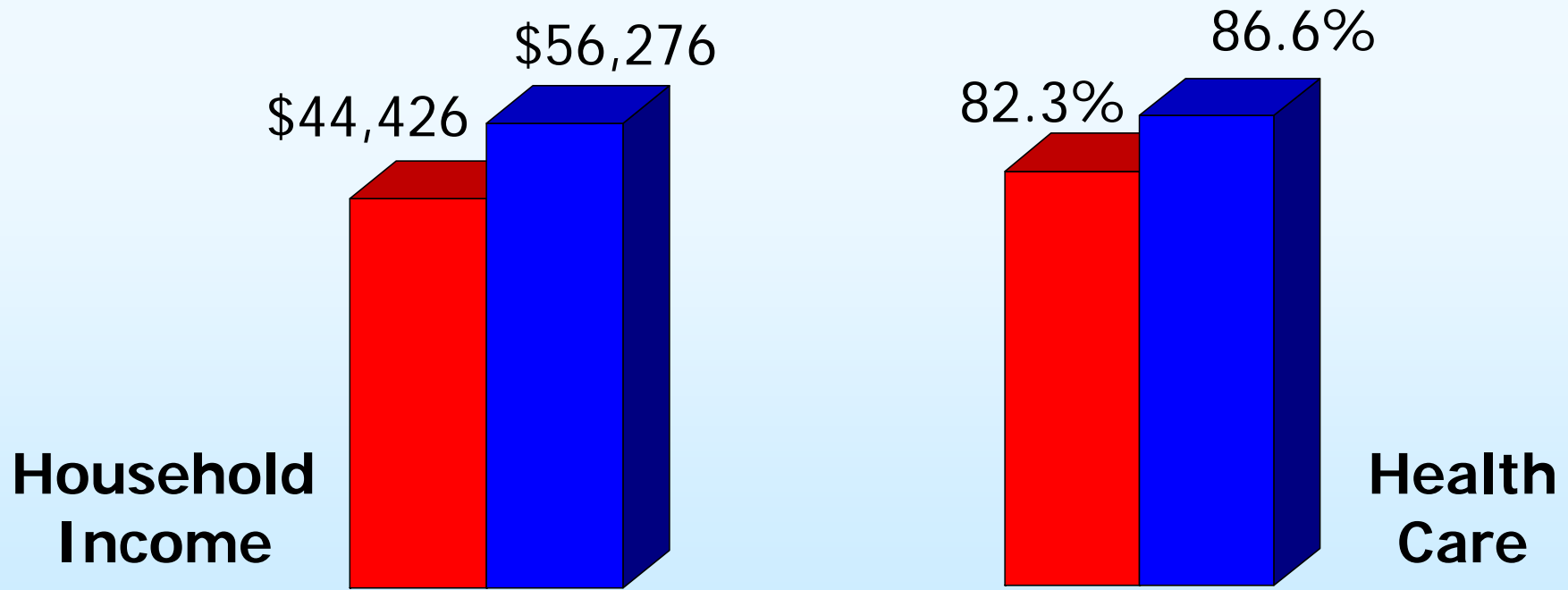


Source: U.S. Department of Labor, Bureau of Labor Statistics, Jan. 25, 2008

When Workers Bargain, The Middle Class Is Strengthened

Benefits go to everyone, not just those at the top

Weak Union States **Strong Union States**



Sources: AFL-CIO analysis of data from U.S. Census Bureau 2006

60 Million Americans Would Join a Union Now If They Could

Want a Union

2005	53%
2003	47%
2001	42%
1993	39%
1984	30%

Source: Hart Research for AFL-CIO



Employee Free Choice Act - Fundamentals

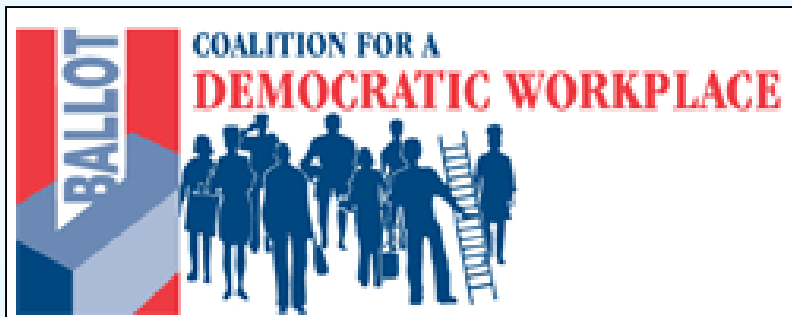
- Lets workers choose how to form their union
- Removes barriers workers face when forming unions
- Guarantees workers a contract when they form a new union
- Strengthens penalties against corporations that break the law



Who Opposes the Employee Free Choice Act?



U.S. Chamber of Commerce



NATIONAL RIGHT TO WORK
LEGAL DEFENSE FOUNDATION, INC.
*Defending America's workers from the abuses of compulsory
unionism since 1968*

Attacks: \$\$\$, Lies & Lobbyists

\$200M organized opposition

“...an undemocratic power grab by special interest union lobbyists...” *Employee Freedom Action Committee*

“We like driving the car and we’re not going to give the steering wheel to anybody but us.” Wal-Mart CEO Lee Scott

Will trigger the “demise of civilization” ... Retailers not fighting it “should be shot.”

Bernie Marcus, Founder and Former CEO of Home Depot

“...serious implications [to] the ... stability of the economy” The “coming fight in Congress” is a “firestorm bordering on Armageddon.”

U.S. Chamber of Commerce

What it Will Take to Win

- **Union Movement Wide Effort**
- **Membership Education and Mobilization**
- **Engagement of Allies**
- **Aggressive Earned and Paid Media**
- **50 State Campaign with Priority State Focus**

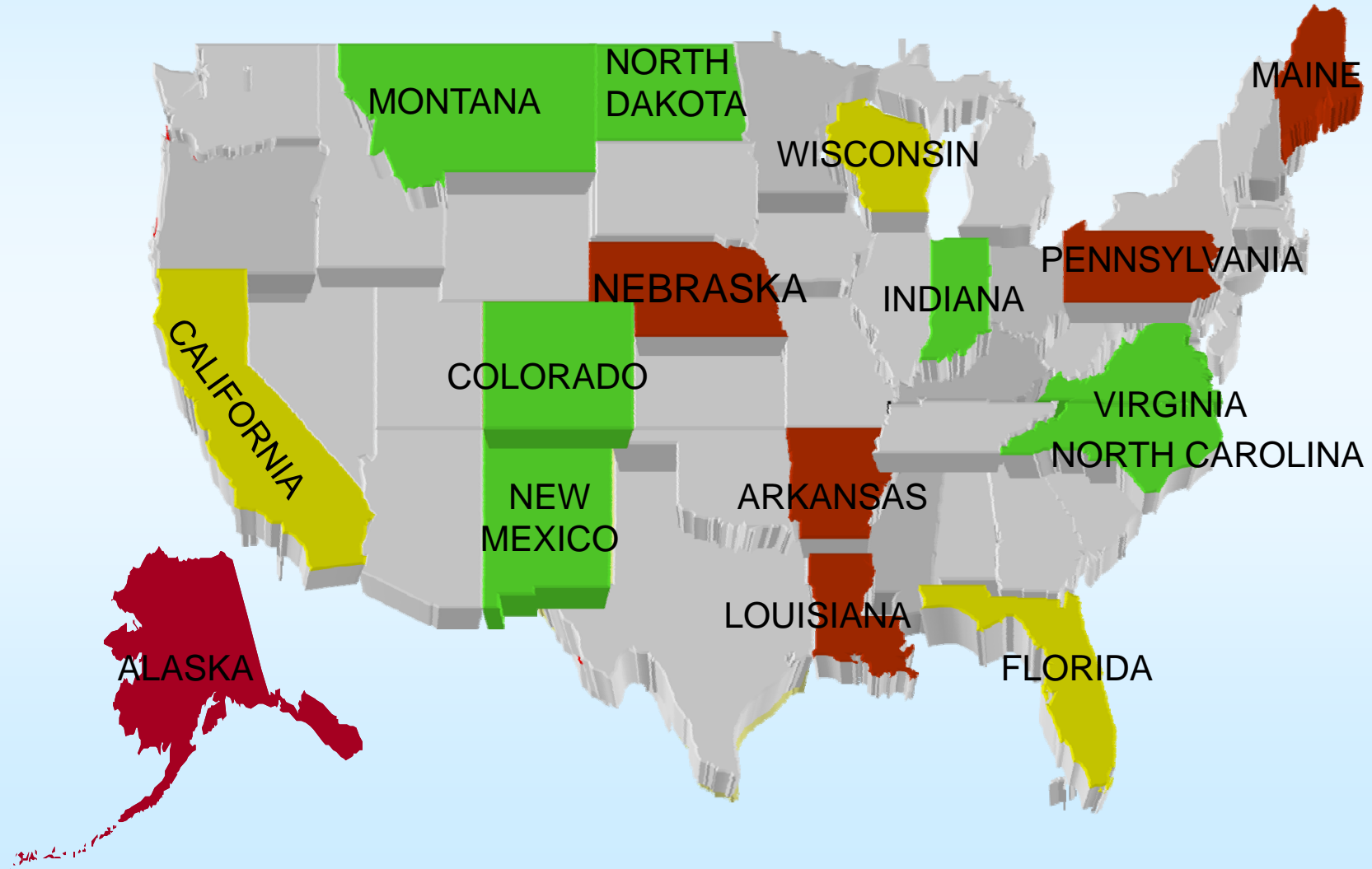


Target States

Tier 1 

Tier 2 

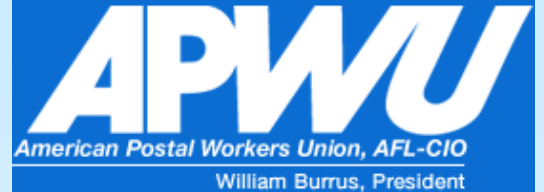
Tier 3 



Union Movement-Wide Effort

- **Affiliate Leadership and Membership Involvement in all efforts**
- **State Federations and Central Labor Council Leadership**
- **CTW and NEA Engagement**





1.5 Million Signatories!



Million Member Mobilization

- ATU
- BCTGM
- CNA/NNOC
- CWA
- IAM
- IUPAT
- NALC
- OPEIU
- UMWA
- USW
- UWUA
- OPEIU
- SIUNA
- Working America – 110,000
- State Federations and CLCs – 106,000

Employee Free Choice Act Field Campaign

AFL-CIO Staffing

- 90 Affiliate Release Staff
- State Directors in 18 States
- Communicators in 13 States
- Allies Outreach Staff in 6 States
- Working America Activity in 4 States

Outcomes

- 53,819 Phone Calls
- 107,754 Letters
- 540,569 Workplace Flyers
- 9 State and Regional Trainings involving over 700 leaders from 15 Affiliates

Engagement of Allies

- 300 Organizational Endorsers
- 1,000+ Academics, including prominent economists
- 700+ Employers



PROMINENT ECONOMISTS

*Passage of the Employee Free Choice Act
rebuilding our economy and*



Statement from leading A

Although its collapse has dominated recent r economy running into serious trouble. The institutions unhealthily situation in which hourly compensation for Au

Indeed, from 2000 to 2007, the income of the r in that time, virtually all of the nation's economic growth shift from broadly-shared prosperity to growing inequal

A natural response of workers unable to improv economy, and that desire is borne out by recent survey said they want a union at their work place. Yet only 7.8 2007, fewer than 60,000 workers won union status thr

The problem is that the election process over acrimonious, with management campaigning fiercely to sympathizers are routinely threatened or even fired, overcome this pressure and vote for a union, they are uni

To remedy this situation, the Congress is considering the EMPLOYEE FREE CHOICE ACT. THIS ACT WOULD ACCOMPLISH THREE THINGS: It would give workers the choice of using majority sign-up -- a simple, established procedure in which workers sign cards to indicate their support for a union -- or staging an NLRB election; it triples damages for employers who fire union supporters or break other labor laws; and it creates a process to ensure that newly unionized employees have a fair shot at obtaining a first contract by calling for arbitration after 120 days of unsuccessful bargaining.

The Employee Free Choice Act will better reflect worker desires than the current "war over representation." The Act will also lower the level of acrimony and distrust that often accompanies union elections in our current system.

A rising tide lifts all boats only when labor and management bargain on relatively equal terms. In recent decades, most bargaining power has resided with management. The current recession will further weaken the ability of workers to bargain individually. More than ever, workers will need to act together.

The Employee Free Choice Act is not a panacea, but it would restore some balance to our labor markets. As economists, we believe this is a critically important step in rebuilding our economy and strengthening our democracy by enhancing the voice of working people in the workplace.

- | | | | |
|--|---|---|--|
| Henry J. Aaron
<i>Brookings Institution</i> | Alan S. Blinder
<i>Princeton University</i> | Robert Lawrence
<i>Harvard University</i> | Robert M. Solow
<i>Nobel Laureate in Economics</i> |
| Katherine Abraham
<i>University of Maryland</i> | William A. Darity
<i>Duke University</i> | David S. Lee
<i>Princeton University</i> | Massachusetts Institute of Technology |
| Philippe Aghion
<i>Harvard University</i> | Brad DeLong
<i>University of Calif. - Berkeley</i> | Frank Levy
<i>Massachusetts Institute of Technology</i> | William Spriggs
<i>Howard University</i> |
| Eileen Appelbaum
<i>Rutgers University</i> | John DiNardo
<i>University of Michigan</i> | Lisa Lynch
<i>Brandeis University</i> | Peter Temin
<i>Massachusetts Institute of Technology</i> |
| Kenneth Arrow
<i>Nobel Laureate in Economics</i> | Robert H. Frank
<i>Cornell University</i> | Ray Marshall
<i>University of Texas</i> | Mark Thoma
<i>University of Oregon</i> |
| Dean Baker
<i>Center for Economic Policy and Research</i> | Richard Freeman
<i>Harvard University</i> | Lawrence Mishel
<i>Economic Policy Institute</i> | Lester C. Thurow
<i>Massachusetts Institute of Technology</i> |
| Jagdish Bhagwati
<i>Columbia University</i> | James K. Galbraith
<i>University of Texas</i> | Robert Pollin
<i>University of Massachusetts-Amherst</i> | Laura Tyson
<i>University of Calif. - Berkeley</i> |
| Rebecca Blank | Robert J. Gordon
<i>Northwestern University</i> | William Rodgers
<i>Rutgers University</i> | Paula B. Voos
<i>Director of Research</i> |
| | Heidi Hartmann
<i>Institute for Women's Policy</i> | | |

Aggressive Earned and Paid Media; Extensive Public Communications

- **Message and spokesperson recruiting and training for union leaders at all levels**
- **Earned Media**
- **Paid Media:**
 - **\$8 Million in ads**
 - **through ARAW**



Employee Free Choice Act

- Introduced March 10, 2009

Senate Bill: S560

- **40 Cosponsors**

House Bill: HR1409

- **225 Cosponsors**



What We Need to Win!

1. Contributions to the Media Fund
2. Release and Dedicated Staffing in Tier 1 States
3. Calls and Letters to Senators in Priority States. Building off our Million Member Mobilization
4. Employer Sign ups

Turn Around America Media Fund

- Total Budget: \$50M
- AFL-CIO Affiliates Goal: \$20M
 - (Have \$27.2 in pledges and receipts)
- Coordinated with Change to Win and American Rights at Work



The road to recovery for America's economy must begin with strengthening our middle class. That's why Congress should pass the Employee Free Choice Act – commonsense legislation that gives workers a fair and simple path to form a union so they can earn better wages, health care and a secure retirement.

Greedy CEOs have launched an all-out assault on the bill. They claim it eliminates workers' right to a secret ballot union election. **This is simply untrue.**

The Employee Free Choice Act absolutely protects a worker's right to choose an election. But the choice would be made by the workers. Not their bosses.

The current system lets corporations intimidate and harass workers who try to form a union.

- 94% of employers resist workers' efforts to form unions
- 49% illegally threaten to shut down the worksite
- 30% illegally fire union supporters

Source: University of Illinois at Chicago

Big Business is lying about secret ballot elections.
That's the secret they don't want you to know.

Affiliate Release and Dedicated Staffing

- Drive member mobilization letters & phone calls – 1% member mobilization goal
- Worksite Flyers
- Labor Movement Outreach
- Allies Outreach
- Employer Outreach



Calls and Letters to Senators in Priority States

- Calls: 1% of Members
- Writing Letters: 1% of Members
- When:
 - Every **local meeting** is a call & letter writing opportunity
 - **Worksite** calls & letters



Employer Sign-Ons

- Continue to build on the list of Employers that support the Employee Free Choice Act
- Get Employers to write letters, make calls and join union leaders in visiting key Senators



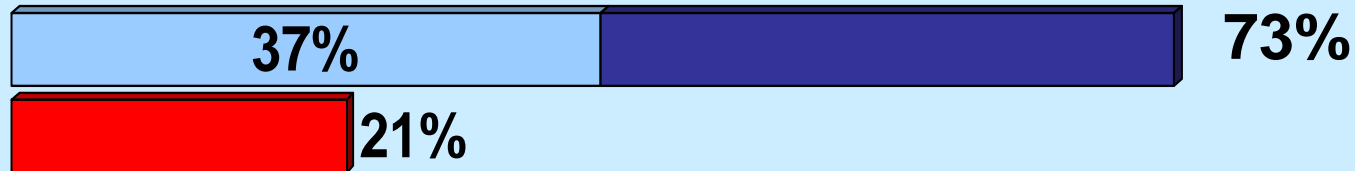
Building the Campaign

- Be Part of the Coordination Team
 - Weekly Update Calls in Target States
- Letters and Calls
 - Organizational Support Letters
 - Letters from Members
 - Phone Calls from Members
- Recruit Employers to Support

1-866-207-2060

**Call Toll-Free
Today!**

Strong Support For Employee Free Choice Act



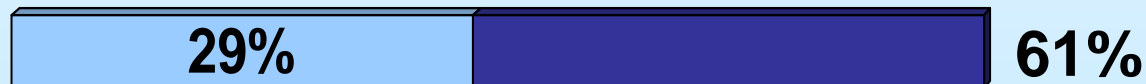
Allows employees to have a union once a majority of employees in a workplace sign authorization cards indicating they want to form a union



Strengthens penalties for companies that illegally intimidate or fire employees who try to form a union



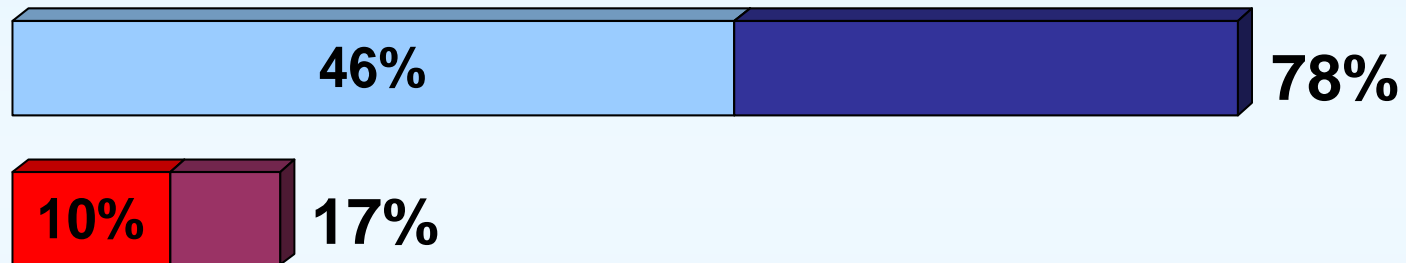
Establishes binding arbitration in cases where a company and a newly certified union cannot agree on a contract after three months of negotiating



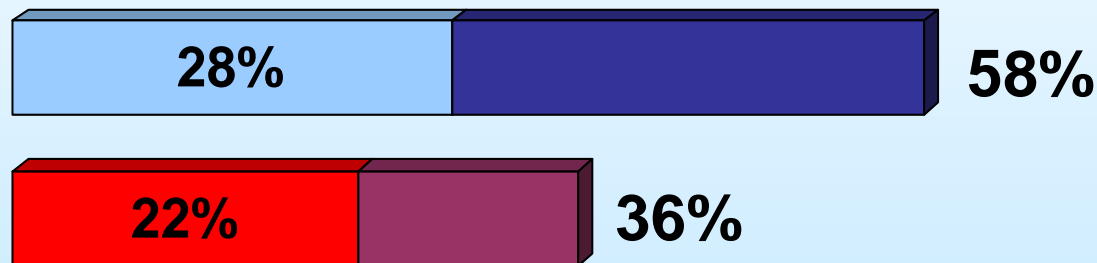
■ Strongly favor ■ Somewhat favor ■ Oppose

Strong Support for Letting Workers Bargain For Wages, Benefits, Conditions

Legislation that makes it **easier for workers to bargain** with their employers for better wages, benefits, and working conditions



Legislation that makes it **easier for workers to form unions** in their workplace



■ Strongly favor ■ Somewhat favor ■ Strongly oppose ■ Somewhat oppose

Americans Want “An Economy That Works For Everyone”

Two most important goals for Congress in considering labor law

An economy that works for everyone

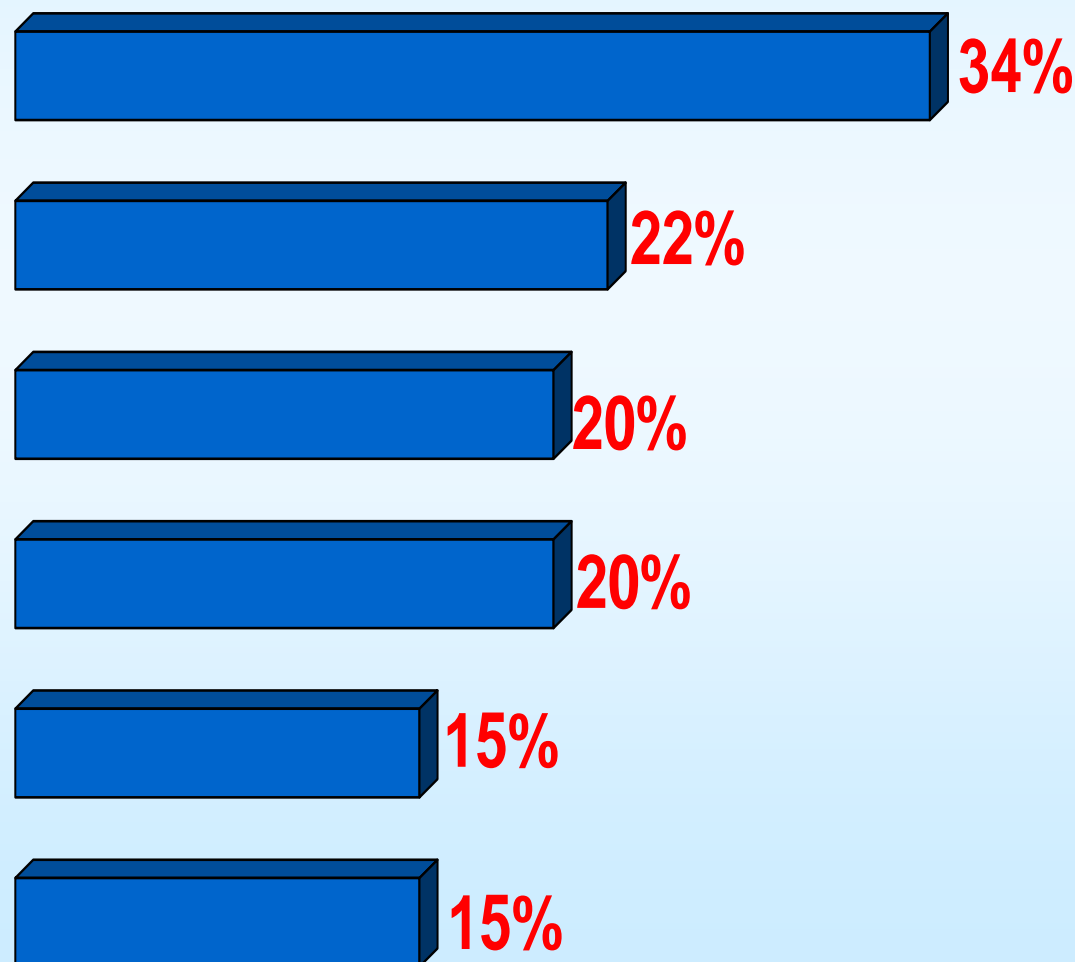
Level playing field b/t companies & workers

Improved wages/benefits for workers

Strengthens the middle class

Workers' freedom to choose

Economic security for workers



Economic Message Trumps Opponents' Attack

With which side do you agree more on Employee Free Choice?

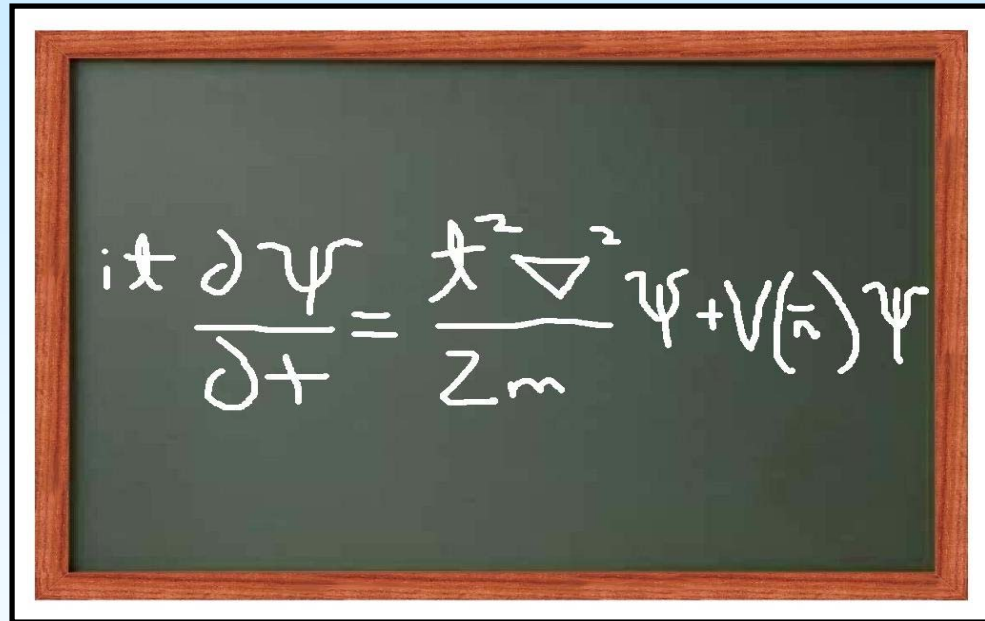
+19

54% SUPPORTERS say that the system is broken and working people are struggling to make ends meet today, and the middle class is being squeezed. One way to help average people get their fair share is to let them bargain with their employers for better wages and benefits. Workers in unions earn 28% higher wages on average, are 62% more likely to have employer health coverage, and four times as likely to have a pension. It's time our economy worked for everyone again. *(39% strongly agree)*

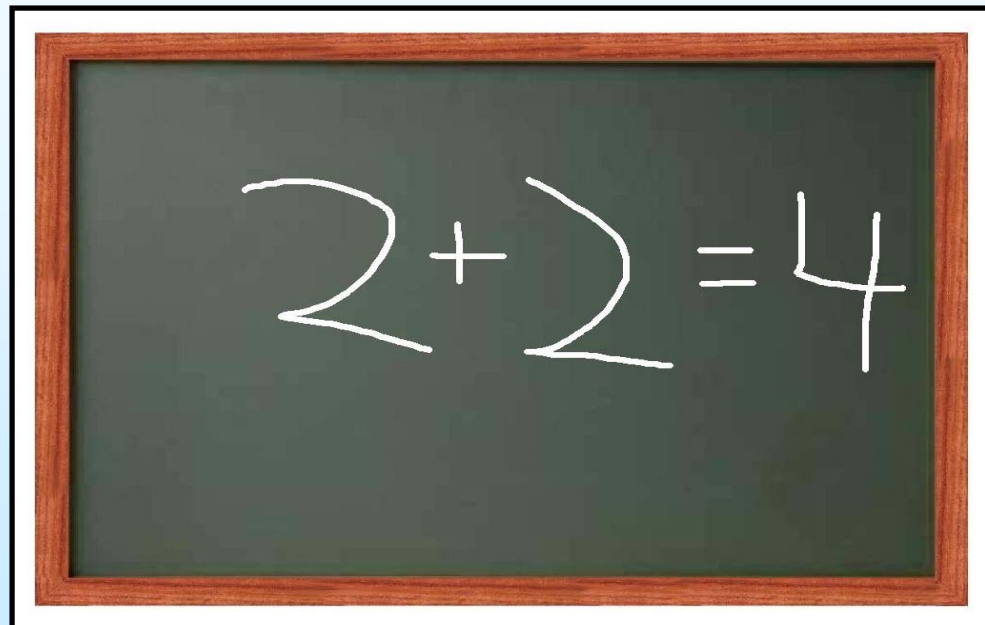
35% OPPONENTS say that this legislation is a bad idea because it would abolish the secret ballot elections now held to determine union representation. This legislation would force more workers into unions, because union bosses can use coercion or deception to collect authorization cards. And with our economy already weak, we don't need laws that give more power to the unions that wrecked the American auto industry.

Source: Hart Research Associates, Dec. 2008

The **WRONG** way
to explain
the Employee
Free Choice Act:


$$i\hbar \frac{\partial \psi}{\partial t} = \frac{\hbar^2 \nabla^2}{2m} \psi + V(\vec{r}) \psi$$

The **RIGHT** way
to explain the
Employee Free
Choice Act:


$$2 + 2 = 4$$

Control the Message

**THE MIDDLE CLASS
IS IN TROUBLE.**

**WHEN WORKERS
BARGAIN, THE
MIDDLE CLASS IS
STRENGTHENED.**

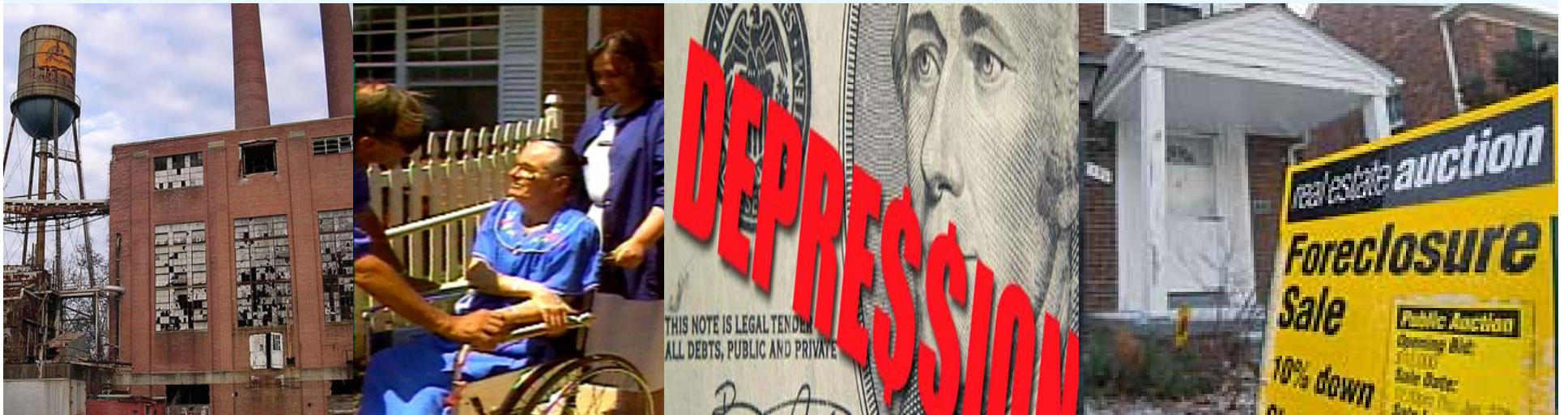


**CORPORATIONS
HOLD ALL THE
CARDS.**

**THE CURRENT SYSTEM ROBBS
EMPLOYEES OF A FREE CHOICE.**

THE MIDDLE CLASS IS IN TROUBLE

- Millions of Americans don't have healthcare or retirement security
- Wages are stagnating and unemployment is rising while taxpayers are bailing out Wall Street
- We need **an economy that works for everyone**



CORPORATIONS HOLD ALL THE CARDS

CEOs' Average Pay:

- **\$10.8M**
- **411x** workers' pay

- Demand **contracts** for themselves but oppose them for workers

- Don't treat workers fairly

- Slash wages & jobs



THE CURRENT SYSTEM ROBS EMPLOYEES OF A FREE CHOICE

Company	Decides how workers will form their union
Company	Delays and denies workers' free choice
Company	Fires one in five union activists
Company	Forces workers into meetings with supervisors
Company	Uses work time to intimidate workers
Company	Threatens to close if workers unionize
Company	Delays contract negotiations
Company	Treats penalties as a cost of doing business

Responsible Employers and Many States Already Use Majority Sign-up

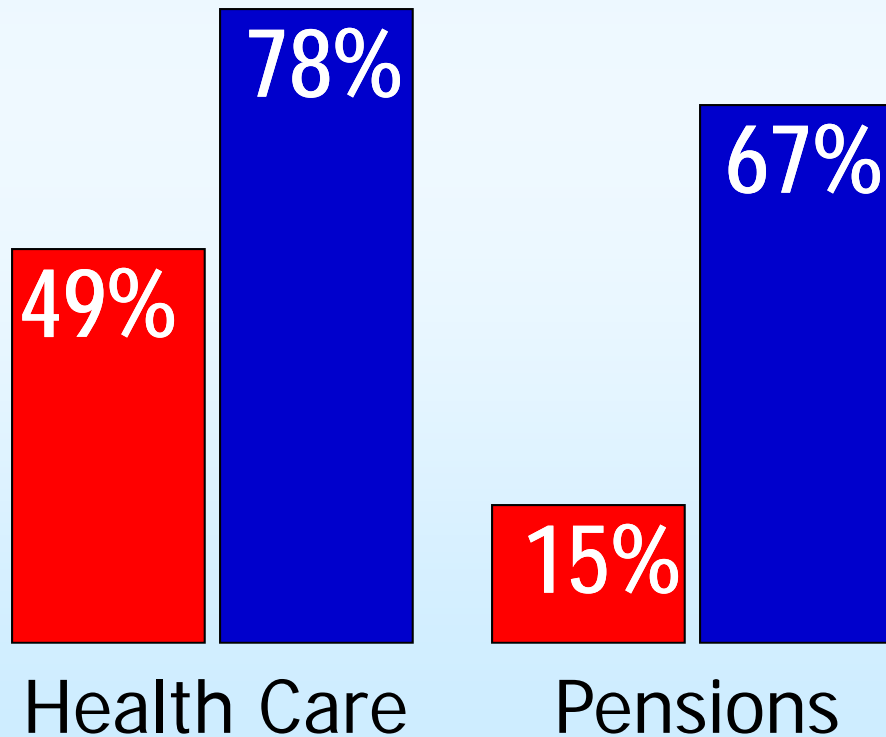
Why? A free choice for workers and less conflict





WHEN WORKERS BARGAIN, THEY HAVE MORE ECONOMIC SECURITY

Union workers:

- 52% more likely to have health care benefits
- 3x as likely to have pensions

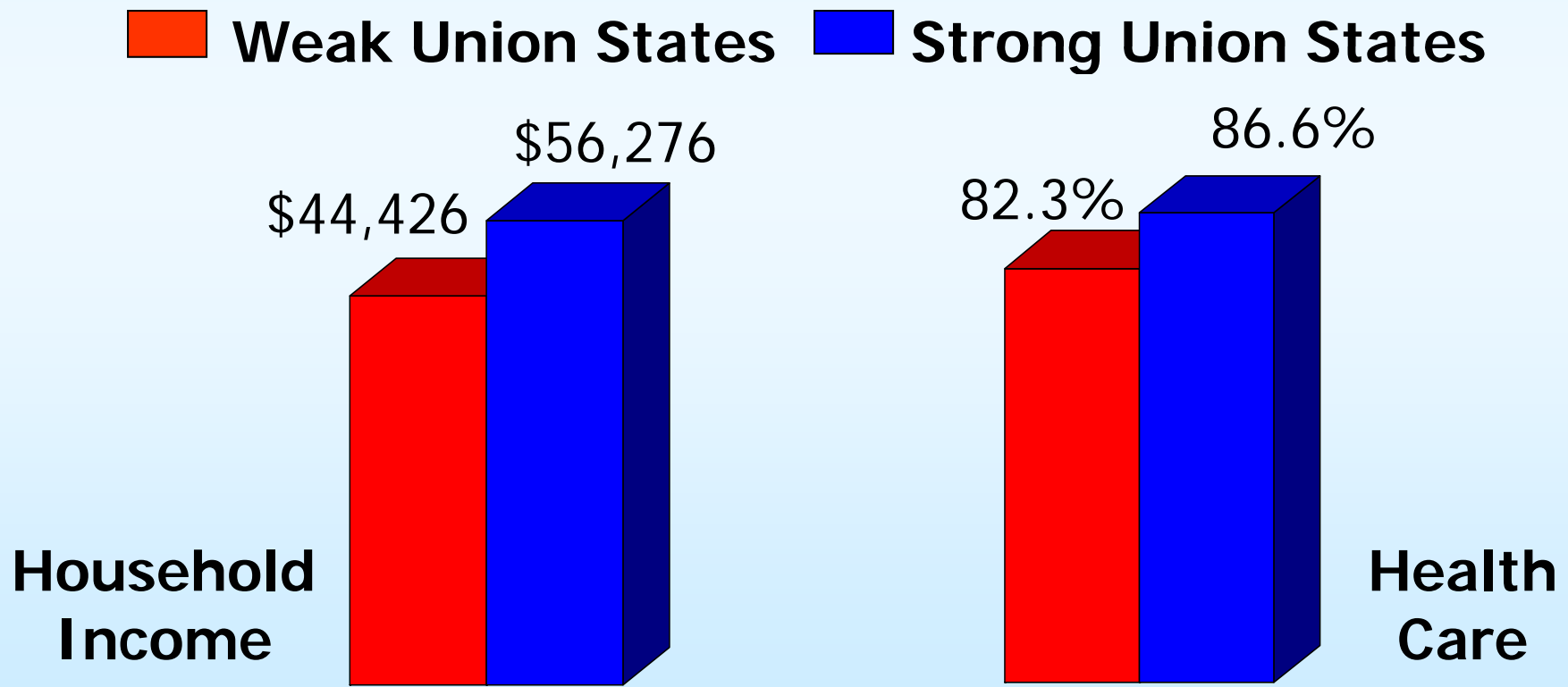


 Nonunion Workers
 Union Workers

Sources: U.S. Department of Labor, Bureau of Labor Statistics, August 2007

WHEN WORKERS BARGAIN, THE MIDDLE CLASS IS STRENGTHENED

Benefits go to everyone, not just those at the top



Sources: AFL-CIO analysis of data from U.S. Census Bureau 2006

THE MIDDLE CLASS IS IN TROUBLE.

- Millions of Americans don't have healthcare or retirement security
 - Wages are stagnating as prices are rising while taxpayers are bailing out Wall Street
 - We need an economy that works for everyone

WHEN WORKERS BARGAIN, THE ECONOMY WORKS FOR EVERYONE.

- They are 52% more likely to have health care benefits and 3 times as likely to have pensions
- Working families in unions have more economic security
- When workers bargain, the benefits go to everyone, not just those at the top



THE CURRENT SYSTEM ROBS EMPLOYEES OF A FREE CHOICE.

- Currently, companies, not employees, get to decide how workers form unions
 - One in five union activists are fired when trying to form a union
- Some responsible employers like AT&T already use majority sign-up; the result is a free choice for workers and less conflict between companies and employees

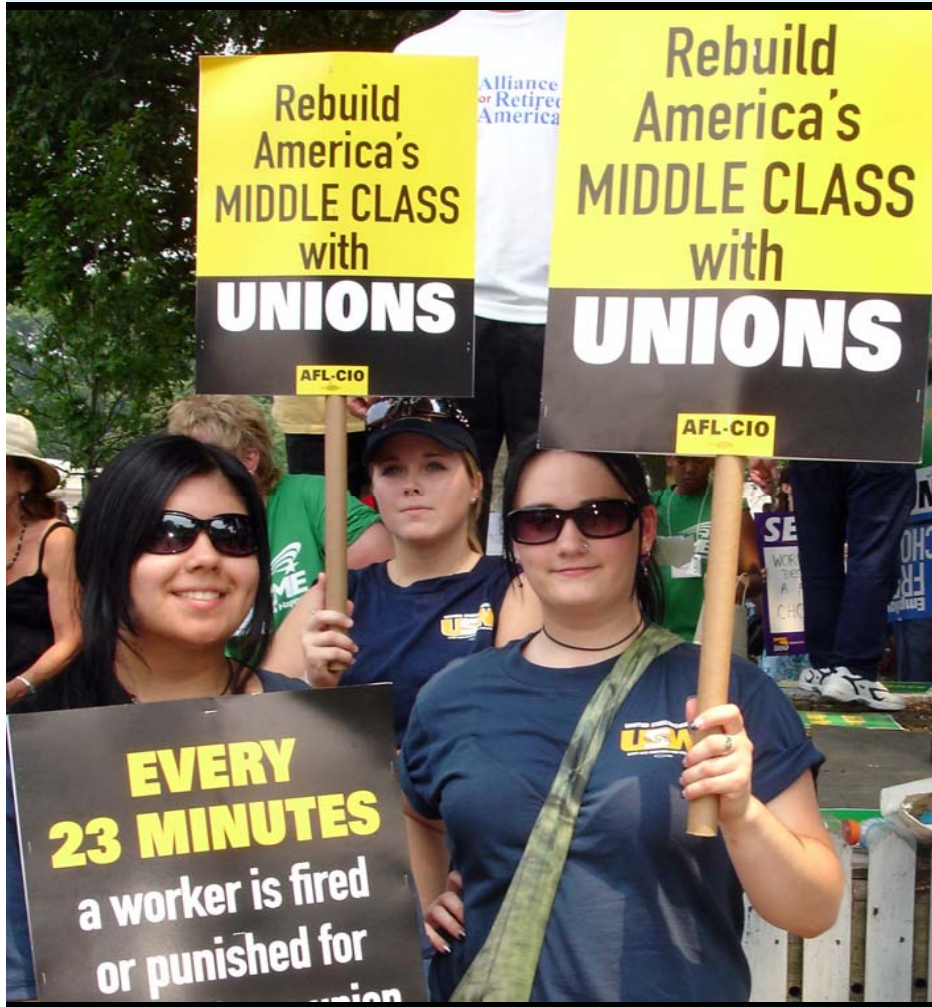
CORPORATIONS HOLD ALL THE CARDS.

- Corporations and CEOs don't treat workers fairly
- CEO salaries skyrocket as wages and jobs are slashed
- CEOs have a contract, so should workers

How To Answer the Tough Questions

- Why do you want to eliminate the secret ballot?
- Isn't trying to get rid of elections undemocratic?
- In these tough economic times, won't more unions do harm, not good?
- Won't it lead to union coercion?

Quick Pivots: Doesn't It Eliminate Secret Ballots?



- No, that is totally false.
- Workers can still choose a secret ballot election if they want one.

[even WSJ has conceded this]

- Puts the choice on HOW to form a union back in workers' hands.

PIVOT

- And that's important because ... [**economic** message]



Quick Pivots: Isn't It Undemocratic?

Makes the process MORE democratic --

- Allows **WORKERS** to choose **HOW** to form their union—
 - including by a secret ballot if they want
- Let's talk about undemocratic: it's not having a voice at work

PIVOT

- And that's bad for our whole **economy** because ...

The Economic Crisis

– NOT NOW?



- To fuel consumer driven economy, we need consumers:
 - Purchasing power vs. debt??
- Union workers have what U.S. needs to compete globally:
 - Productivity
 - Reduced turnover
 - Training
- Unionized firms are no more likely to fail than nonunion
- No rise in unemployment with union density



Quick Pivots: The Economy

- CEOs have all the power
- working families do not share the benefits of economic growth
- workers have no money to spend or save [end up in debt]

This is not a sustainable **economy**

That's why we need the Employee Free Choice Act

- to give workers the freedom to bargain for better benefits and wages

Interest Arbitration:



- NOT A SUBSTITUTE FOR BARGAINING
- Gives parties tools to reach a bargained agreement
- Incentivizes bargaining
- Eliminates current incentive to delay – 1 yr. cert. bar
- Reverses 44% failure rate
- Under 10% require awards
 - only unresolved issues
- Awards are not unworkable; are comparable

It Will Lead to Union Coercion: Evidence is to the contrary – Statistics:

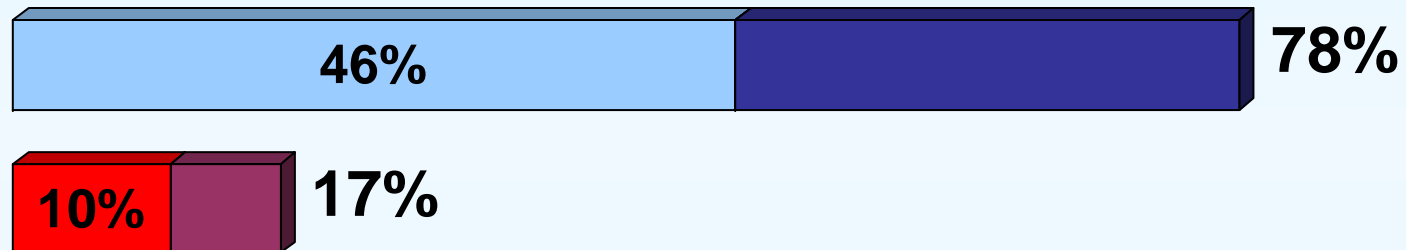


- 2007: 29,559 workers received backpay
- 1999 – 2006: NLRB complaints for coercion:

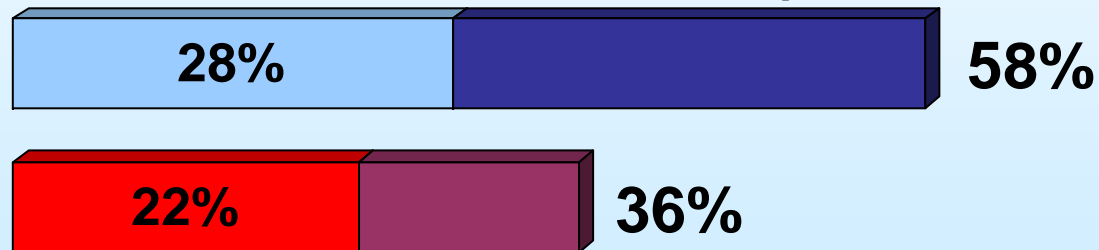
Against employers:	37,108
Against unions:	2,893
- Only companies have the power to hire and fire
- 42 cases

Message Matters

Legislation that makes it **easier for workers to bargain** with their employers for better wages, benefits, and working conditions



Legislation that makes it **easier for workers to form unions** in their workplace

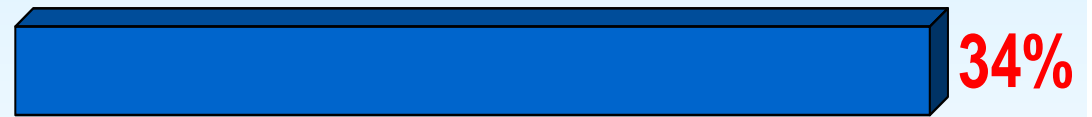


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Americans Want “An Economy That Works For Everyone”

Two most important goals for Congress in considering labor law

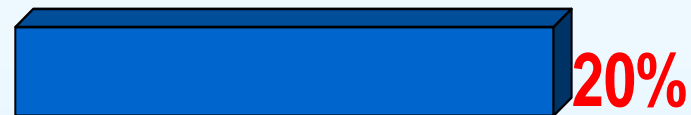
An economy that works for everyone



Level playing field b/t companies & workers



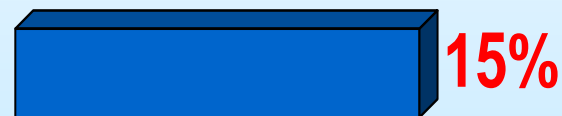
Improved wages/benefits for workers



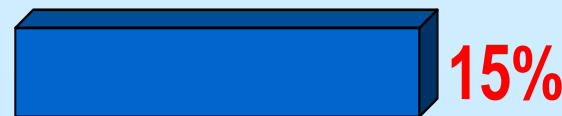
Strengthens the middle class



Workers' freedom to choose



Economic security for workers



Among Union Members

% union members rating each as a strong message for EFCA*

- 75%** The more workers who belong to a union, the stronger and more effective it can be when it comes to bargaining for better wages and benefits.
- 67%** Union members should stand up for the rights of others...
- 59%** It will be impossible for unions to bargain for strong contracts ... if the percentage of workers in unions continues to decline.
- 59%** Increasing union membership means more political clout for unions....

How to Talk about the Employee Free Choice Act

- Start with **economics**
- Tap into **anger at CEOs & corporations**
- **Keep it simple** when talking about majority sign-up
- Talk about **responsible employers** like AT&T and Kaiser Permanente
- Focus on **workers** – not on unions
- Explain to **members** how they benefit from **strength in numbers**
- **Pay attention to language – it matters!**

Language Matters

Do's and Don't

Employee Free Choice Act	not	<i>EFCA</i>
Majority Sign Up	not	<i>card check</i>
Corporation or Company	not	<i>employer</i>
Company-controlled process	not	<i>current election process</i>
Facts & Figures	not	<i>“Hot” language</i>
Workers	not	<i>unions</i>

What You Can Do

- Contributions to the Media Fund
- Release & Dedicated Staffing
--Tier 1 States
- Calls & Letters to Senators in Priority States, building off our MMM
- Employer Sign ups



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