

## **MOTION OF THE COUNCIL OF ALLEGHENY COUNTY**

Motion expressing the Sense of Council supporting the Employee Free Choice Act, which would authorize the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them, provide for first contract mediation and arbitration, and establish meaningful penalties for violations of a worker's freedom to choose a union.

**WHEREAS**, in 1935, the United States established by law that workers must be free to form unions; and

**WHEREAS**, the freedom to form or join a union is internationally recognized as a fundamental right by the 1948 Universal Declaration of Human Rights; and

**WHEREAS**, the free choice to join with others and bargain for better wages and benefits is essential to economic opportunity and good living standards; and

**WHEREAS**, unions benefit communities by strengthening living standards, stabilizing tax bases, promoting equal treatment and enhancing civic participation; and

**WHEREAS**, states in which more people are union members are states with higher wages, better benefits and better schools; and

**WHEREAS**, unions help raise workers' pay and narrow the income gap for minorities and women by increasing median weekly earnings by 31 per cent for union female and African-American workers, 50 per cent for Latino workers, and 9 per cent for Asian-American workers; and

**WHEREAS**, workers across the nation are routinely denied the freedom to form unions and bargain for a better life, with 25 per cent of private-sector employers illegally firing at least one worker for union activity during organizing campaigns; and

**WHEREAS**, 77 per cent of the public believes it is important to have strong laws protecting the freedom of workers to make their own decisions about having a union, and 58 per cent of workers would join a union if they had the opportunity; and

**WHEREAS**, employers often refuse to bargain fairly with workers after they form a union by delaying first contract bargaining for up to two years in 45 per cent successful campaigns; and

**WHEREAS**, each year millions of dollars are spent to frustrate workers' efforts to form unions, and most violations of workers' freedom to choose a union occur behind closed doors, with 78 per cent of employers forcing employees to attend mandatory anti-union meetings; and

**WHEREAS**, when the right of the workers to form a union is violated, wages fall, race and gender pay gaps widen, workplace discrimination increases and job safety standards disappear; and

**WHEREAS**, a worker's fundamental right to choose a union free from coercion and intimidation is a public issue that requires public policy solutions, including legislative remedies; and

**WHEREAS**, the Employee Free Choice Act was introduced as H.R. 1409 on March 10, 2009 in order to restore workers' freedom to join a union; and

**WHEREAS**, the Employee Free Choice Act will safeguard workers' ability to make their own decisions with regard to these abuses, provide for first contract mediation and arbitration, and establish meaningful penalties when employers violate workers' rights;

**NOW THEREFORE, IT IS MOVED** that the Allegheny County Council supports the Employee Free Choice Act, which would authorize the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them, provide for first contract mediation and arbitration, and establish meaningful penalties for violations of a worker's freedom to choose a union.

**IT IS FURTHER MOVED** that the Allegheny County Council urges Congress to pass the Employee Free Choice Act to protect and preserve for America's workers their freedom to choose for themselves whether or not to form a union.

**PRIMARY SPONSOR: COUNCIL MEMBER DeFAZIO**

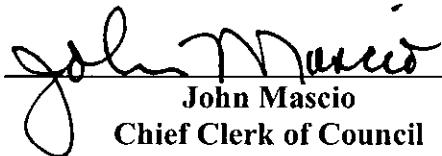
**CO-SPONSORS: COUNCIL PRESIDENT FITZGERALD, COUNCIL MEMBERS GREEN, CLEARY, ELLENBOGEN, FINNERTY, FUTULES, MACEY, MARTONI, BURN, & ROBINSON**

In Council April 7, 2009. Read and Approved.



Rich Fitzgerald

President of Council

Attest:   
John Mascio  
Chief Clerk of Council

**Mascio, John R.**

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**From:** Mascio, John R.  
**Sent:** Friday, April 10, 2009 10:12 AM  
**To:** Senator Bob Casey ; Senator Arlen Specter; Governor Ed Rendell; Elder Vogel ; J. Barry Stout; Jane Orie; Jay Costa; Jim Ferlo ; John Pippy; Sean Logan; Wayne Fontana ; Anthony DeLuca; Bill Kortz ; Chelsa Wagner; Dan Deasy; Dan Frankel; David Levdansky; Dom Costa; Don Walko; Frank Dermody; Harry Readshaw; Jake Wheatley; Jessie White ; John Maher; John Perzel; Joseph F. Markosek; Joseph Preston, Jr.; Marc Gergely; Mark Mustio; Matthew Smith; Mike Turzai; Nick Kotik; Paul Costa; Randy Vulakovich; Rob Matzie  
**Subject:** Bill Number 4729-09, Motion of Allegheny County Council  
**Attachments:** 4729-09.PDF

At the Regular Meeting of Allegheny County Council held on April 7, 2009, Council approved the attached Motion (Bill No. 4729-09)expressing the Sense of Council supporting the Employee Free Choice Act, which would authorize the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them, provide for first contract mediation and arbitration, and establish meaningful penalties for violations of a worker's freedom to choose a union.

The Motion was sponsored by Council Members DeFazio, Fitzgerald, Green, Cleary, Ellenbogen, Finnerty, Futules, Macey, Martoni, Burn, and Robinson and was approved by a vote of 11-0-4, with Council Members Drozd, Gastgeb, McCullough, and Rea abstaining.

Your attention to this Motion is requested.

John Mascio  
Chief Clerk  
Allegheny County Council