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An effective tool for U.S. workers

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CHAPEL HILL — The Employee Free Choice Act (known as EFCA), being considered by Congress offers a real possibility of restoring the right to unionize to American workers.

This prospect has encountered stiff opposition from many employers, lobbyists and the GOP, along with a number of moderate Democrats. The opposition to EFCA is especially strong in North Carolina, the state with the lowest percentage of workers belonging to unions.

These strong objections are unfortunate, because the proposed legislation promises to help redress the downward spiral in the standard of living experienced over the last quarter century by many North Carolinians.

During this period, earnings have stagnated for many, while working hours increased. Health insurance and pension benefits declined, and protective government regulations and programs shriveled. More recently, growing unemployment has been added to the list of travails. Meanwhile, the income and wealth of the very top strata have risen to historic highs.

There have been many explanations for these developments, notably globalization, rapid technological changes, deindustrialization and the rise of the service sector, deregulation of markets, and so on. But at the root of all of them is the decades-long drop in union membership.

With unions weakened, workers cannot exert what the economist John Kenneth Galbraith called a "countervailing force" to business and other interests.

EFCA proposes the most important changes to labor law since the 1930s. It would help to restore the balance between the interests of employees and their employers by: giving workers the choice to form a union by majority sign-up (commonly known as "card check") or by secret ballot.

Card check helps to circumvent the employer intimidation campaigns that often precede recognition elections prescribed by current labor law. EFCA also limits employer delays in signing a contract by requiring mediation and arbitration if agreement is not reached in a reasonable period of time. And it provides for meaningful penalties when employers violate workers' rights to join a union.

Opinion polls show that a majority of U.S. workers would join a union if given a real choice. However, employers often make it difficult for workers to unionize by requiring them to listen to anti-union presentations on the job and holding one-on-one and other captive-audience meetings with workers. It is illegal to fire workers for their union activity; no matter, it happens in more than one out of four union drives.

Moreover, the penalties imposed on employers who violate labor laws (such as threatening workers with loss of employment, wages and benefits if they vote for a union) are extremely weak. Indeed, employers' huge and effective opposition is the major reason for the decline in union membership in recent decades.

EFCA would help to level the playing field by giving workers a real opportunity to decide whether or not they wish to be represented by a union. Studies by sociologists and economists have demonstrated conclusively that unions raise wages and benefits for working people and protect them from discrimination and unsafe workplaces. Moreover, unions can also be a political force in Raleigh and Washington, D.C., that can help counter the influence of business lobbies on all of the key issues that shape American life.

We are still paying dearly for the weakness of union influence on matters of financial and environmental regulation, as well as on the host of issues that affect the health and everyday security of Americans. And a more prosperous and secure working population, together with vigorous unions, also benefits local communities by enhancing tax bases, promoting equal treatment and encouraging civic engagement.

Passing EFCA will help to bring a measure of democracy to the workplace; it would provide some ballast to out-of-control business lobbying influence and it would help us to resume the long American march toward a more humane and democratic society. It protects America's employees' freedom to choose whether or not to form a union and provides them with the opportunity to improve their economic situation. It is vital for North Carolina's future that its congressional delegation support the Employee Free Choice Act .

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