

## EFCA Facts vs. Myths

Desperate times call for desperate measures, and when it comes to the labor movement, union bosses are willing to say just about anything to justify the deceptively-named Employee Free Choice Act. Whether it's union-funded professors, politicians, or think tanks, labor leaders have paid groups to perpetuate lies about the deceptively named Employee Free Choice Act.

**Union Myth:** EFCA wouldn't eliminate a worker's access to private-ballot elections. It only gives worker the option of using the "majority signup" system.

**Fact:** EFCA puts the union—and only the union—in charge of unionizing. There is no required option for employee input. Numerous union organizers have publicly stated that they have no interest in calling for private-ballot elections:

"There's no need to subject the workers to an election."  
– Bruce Raynor, UNITE HERE union president

"We don't do elections."  
– Mike Fishman, high-ranking SEIU union leader

**Union Myth:** "Nonunion workers who say they want to have a union in their workplace: 60 million."

**Fact:** This comes from an unpublished poll commissioned by labor unions and conducted by union-friendly pollsters. Without knowing what question they asked, it is impossible to judge its credibility. And given their refusal to release the poll, we suspect its credibility is dubious at best.

In fact, a recent poll of 1,000 Americans by the Opinion Research Corporation found that 64 percent of workers would prefer that their job be non-union (The question: "Would you prefer your present job to be union or would you prefer it to be non-union?")

**Union Myth:** "Chance that an active union supporter will be illegally fired for union activity during an organizing campaign: 1 in 5."

**Fact:** This statistic comes from a group of labor-affiliated researchers using outdated data from the 1980s and arbitrary estimates — one of the researchers even acknowledged it was "a crude probability" — to come to their ultimate conclusion.

In fact, according to data from the National Labor Relations Board (NLRB), just 1 in 340 pro-union employees are wrongly terminated during the course of an organizing campaign.

**Related Union Myth:** “Workers in 2005 who received back pay because of illegal employer discrimination for activities legally protected under the National Labor Relations Act: 31,358.”

**Fact:** This number includes employees paid back pay for a variety of reasons unrelated to organizing a union, such as disputes regarding overtime, work rules, or other contractual deutes. Data from the NLRB indicates that just 2.7% of organizing campaigns involve an employee who was wrongly terminated.

**Union Myth:** “Employers that threaten to call U.S. Citizenship and Immigration Services during organizing drives that include undocumented employees: 52%; companies that threaten to close the plant if the union wins the election: 51%; companies that actually close their plants after a successful union election: 1%.”

**Fact:** NLRB data indicates that only 2.6% of organizational campaigns result in a charge against a business for making threatening or coercive statements.