

**“DON'T BE A SCAB

Sign the Card!”**

Quote from a union organizer

STORIES ABOUT HOW UNIONS ORGANIZE
AND TIGHTEN THEIR HOLD ON YOU AND
YOUR WORK LIFE



**PLEASE DO NOT SIGN A UNION AUTHORIZATION CARD—
UNTIL YOU HAVE READ THESE TRUE STORIES ABOUT:**

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💣 How unions control your work life once they become your Exclusive Bargaining Agent	
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There are things that unions would prefer you not know about them

In the early days of the American union movement threats, manipulation, and even direct violence were common tactics used by both employers and unions to pursue their agendas. Both sides hired thugs to swing clubs, throw rocks and shoot guns to “persuade” the other side that capitulation was more acceptable than the alternative. During the last century, because of government intervention and the maturing of the union/management relationship, both sides have modified their tactics. However, many powerful unions have simply refined their use of threats and pressure to recruit new members and to keep their members in line. They have successfully used the dues of their members by contributing millions of dollars to the political campaigns of politicians who promise to help them ensure their continued existence.

Despite their efforts, the working population has begun more and more to question the need for unions at all. Yesteryear’s cry that, “You need us to defend your rights and protect you from management” has developed a hollow ring. More and more employees find managements taking steps to strengthen employee loyalty and enlist them in the success and profitability of the business. Increasingly, America’s workers are coming to view themselves not as the victims of business, but rather as valuable contributors to the success and growth of their organizations. The popularity of union membership in the United States has declined year after year until today fewer than 12.5% of all workers are union members, and 81% of all non-unionized workers say they do not want to join unions.

These facts might lead to the conclusion that unionization is fading from the American scene and that it is just a matter of time until unions have gone the way of the buggy whip. But don’t undervalue the impact of the millions of dollars of political contributions the unions have dolled out. Today major unions have joined forces with the current administration to push their “preserve the union” agenda. Every effort is being made to support unions in their campaign to organize all types of companies, schools, government offices, health care organizations, hospitals, etc. There are legislative efforts to change long-standing laws so that unions will be recognized as the exclusive bargaining agents of employees if 51% of those eligible sign authorization cards, WITHOUT THE CURRENT REQUIREMENT OF A SECRET BALLOT ELECTION. The administration is taking steps to change the makeup of the National Labor Relations Board to make it easier for unions to harass companies with unfair labor practice charges. There are union authored bills in various state legislatures designed to defeat Right to Work statutes and to change the methods by which companies continue to operate when their unionized employees are on strike.

While they work to ensure that these legislative efforts become law, the major unions are running training schools to teach paid union organizers how to “infiltrate” non-union work places and agitate from within; and they educate union representatives on how to use pressure and threat tactics that skirt the laws as they are presently written in order to increase and retain union members. It is not too dramatic to say that non-union

workers are under attack by the unions and the government with the goal of controlling their work, their pay and benefits, and even their very lives.

For many who read this the reality of how unions survive and grow will be shocking and disturbing. They may even be skeptical of the information contained in these stories. Union representatives would rather that you not know these things and that you continue to see unions as the press and the media portray them—the protectors and saviors of the downtrodden and disadvantaged worker. However, when the union comes knocking on your door you should be armed with the truth so that you can make an informed decision about whether or not you wish to become a union member. This booklet contains true stories about how unions have operated to organize and control their memberships.

FIVE TRUE STORIES

That should
make you think twice
before signing an authorization card
or joining a union

LOSING MY FREEDOM OF CHOICE

As you read the following story here are a few questions you might want to ask yourself:

1. Do you understand the methods unions will use to win representation elections if they only have to get enough authorization cards signed?
2. How do you feel about losing the right to a secret ballot vote in a union representation election?
3. Does the secrecy of the voting booth give you a sense of freedom and security when you cast a ballot, or would you rather just vote with a show of hands so everyone would know how you voted?
4. Faced with union or peer pressure to sign a union authorization card, and assuming that if more than 50% of your coworkers signs cards the union will automatically be certified to represent you, what do you think you would do?
5. Why does the US Government want to eliminate your right to a secret ballot vote in union organizing campaigns?

LOSING MY FREEDOM OF CHOICE

A DAILY ACCOUNT OF MY EXPERIENCES

TIME FRAME	DESCRIPTION
Saturday Morning	My First Contact With A Union Organizer
Monday Morning	How Good Friends At Work Feel About The Union
Tuesday	Union Pressure In The Parking Lot
Thursday	Union-related Events At Work
Thursday Evening	How The Union Could Affect My Life
Friday	Now I Have A Clearer Picture
Sunday Late Morning	The Pressure Keeps Growing
Monday Morning	I Decide To Sign The Card
The Last Two Months	The Election Process
The Final Outcome	The Vote

SATURDAY MORNING MY FIRST CONTACT WITH A UNION ORGANIZER

One bright Saturday morning in June, while I was mowing my front lawn, a strange car pulled up in my driveway. A large man stepped out and started walking toward me. As he approached he shouted, "Have you got a few minutes? I would like to talk to you about your job."

That got my attention. With all the layoffs and shutdowns going on in our area I wanted to hear what he had to say. "Sure" I said, "we can sit on the front porch; what's this all about?"

He introduced himself as Big Jim Twist and said, "I am with the International Brotherhood of Union Members and I'd like to get you to join us. Most of your fellow production workers are signing this card (he waved a post card in front of my face) so we can represent you and stop your management from taking advantage of you and your fellow working-class Joes." I replied, "Well I really don't see the need. My company has treated me very well."

"Don't you read the paper?" Big Jim asked. "All over this country management has been taking advantage of the little working guys like you and me, taking millions of dollars in bonuses while driving their companies into bankruptcy or worse. And when the ship sinks, they get into the life boats and leave you swimming with the sharks."

Let me ask you, how long have you been with your current employer?" "17 years I said proudly". "Well" he said, "if your management decided to cut the work force by 35% would they layoff you or some younger employee?" "Well", I said, they would probably keep me because of my experience and know-how and layoff some of those who haven't been around as long as I have." "Aha", he said, "but you can't be sure." "Suppose they decided that they could save more money by laying you off 'cause you make more and keeping some of the lower paid employees instead. Guess where they get the money for those big bonuses they pay themselves?"

"Let me tell you, you'll always come out on the short end. And here are some other things to chew on—do you get paid what you're worth? Has the company begun to reduce your medical and dental benefits or make you pay more for them? Can you take your vacation whenever you want? Do you even have a pension plan, and how safe do you think it is with companies ripping off pension funds all over the place?"

"Well Jim", I said, "to tell the truth I already have a good job, good pay, and good benefits. I really like my work and my supervisor, and the company I work for is..." Jim abruptly interrupted me at this point. "But you can't count on any of that continuing," he said. "Your bosses could decide today that you are out of a job, and what could you do about it? You're just one guy with one voice, and nobody would listen to you. If we were representing you they would have to listen to us."

“The other guys you work with understand that there is power and safety in numbers and they want to join our union. They want you to sign up to show your support for them and I don’t think they will be happy with anyone who won’t join the team.” “Jim, I’m not sure I like what you’re saying; it sounds a bit like a threat. You make it sound like if I don’t sign I will be an outcast with my good friends at work”. “You’re the one who said that”, he replied, “but I wouldn’t be at all surprised.” “But how would they know who signed and who didn’t”, I asked, “Aren’t those records kept secret?” “Not any more” he said, “today things are done out in the open.”

“Hold on a minute”, I said, “are you saying that if I don’t sign up you will make it known that I don’t want to join the union and then if the union gets in I’ll have to pay a handsome price for my failure to support the union?” “Well”, he said, “if I were one of your fellow workers I wouldn’t be too happy with some guy who tried to keep the rest us from getting job security, better pay and benefits, and more control over our working lives”.

“Years ago strong-armed managements ran the government making it almost impossible for folks like you to join unions. First we had to get more than two thirds of the workers to sign cards like this one; then we had to go through a campaign where the company threatened and lied to its workers to get them to vote against the union. Finally we had to get more than half of the workers to vote “yes” in a secret election to join the union. The odds were stacked against us and most of the time the bosses kept their workers from joining a union. They kept their workers under their thumbs and disciplined and fired them whenever they wanted. They paid them the minimum they could get by with so they could make the most profits, and they made promises to their workers that they didn’t keep. When they canceled the pension plan, or cut wages, or changed the work rules, if one employee complained they fired him to keep the others quiet”.

“Well our new president, Barrack Obama, is changing all that. He is passing the Employee Free Choice Act. Any day now as long as half of the employees at the factory sign these cards saying that they want to join the union, we skip the campaigns and the elections, and the workers become members of the union automatically!” “And believe me, more than half of your buddies will be signing these cards.” “You may be right”, I said, “but I have to think on this some before I sign my name to anything.” “By the way, once a group of workers joins the union, what happens if they don’t like it and want to go back to the way it was before?” “Can half of them sign ‘I want out cards’ and reverse the whole union thing?”

Big Jim just snorted as he stood up, “that won’t happen” he said. Don’t think too long. I’ll be back in a day or so with some of the guys you work with. They see the reasons for joining the union and we’ll see if they can’t talk some sense into you.”

As he walked back to his car and drove away, I sat there on my porch worrying about my job and my family, and afraid of what would happen if I refused to sign one of those cards.

MONDAY MORNING

HOW GOOD FRIENDS AT WORK FEEL ABOUT THE UNION

On Monday morning, after my usual quick breakfast and a second cup of coffee, I set off to work, really troubled by what had happened on Saturday. It had been a trying weekend and I wondered what the scuttlebutt at work would be about this union thing. As I was getting out of my truck in the parking lot I saw Jerry Riggs, a good friend from work, waving and shouting at me, "Wait up, I need to talk to you." As he caught up with me I asked, "What's up?"

I was surprised when he remarked, "So you're selling out the company, huh?" "What are you talking about", I asked, "Why would I do that?" "That's a good question", said Jerry, "I thought you liked it here; but over the weekend I had a visit from a guy who called himself Big Jim Twist, and he had one of his 'helpers' with him. They told me they had already talked to you and you were ready to sign one of their cards to get the union into our plant. He said you agreed with the idea that the union would be able to get the company to pay higher wages, provide better benefits including more vacation time, and maybe even get us an improved pension plan." "We've got it pretty good here, why would you want the union to come in and screw things up?"

"Back up, Jerry", I said, "I did not sign any card and I didn't tell him that I would. He came to see me Saturday morning with his plans and promises and I told him the company was treating me well and I didn't see the need for any union here. Finally, to get rid of him, I told him I would have to think on the matter for some time before I signed my name to anything." "Well that's not what he told me, and probably not what he told any of the guys he visited this weekend", said Jerry.

"What about you, Jerry", I asked, "Did you sign one of his cards?" "Absolutely not!" Jerry said, "I sent him packing." "I used to work in a plant that had a union and I didn't like it one damn bit. Some union officer was always trying to tell us what to do and what not to do. We couldn't talk to our supervisor without the union rep. present; we could only do so much work each hour; and we had to pay an initiation fee and monthly dues that I never got anything for. At contract time they went into a room behind closed doors, kept everything they were doing secret, and then told us to vote for the deal because it was the best we could get. One time they even took us out on strike for 5 weeks—that's five weeks with no pay--and at the end all they got was super seniority for the union officers. I can see why the union wants to represent us; they're the ones who benefit. I will never go through that again!"

"Well", I replied, "you sure don't make it sound like being a union member is a good deal. You've given me a lot to think about." "Please tell the other guys that I did not sign a union card and that I haven't made up my mind yet about what I will do. I'll keep you posted, Jerry, if you'll do the same for me."

TUESDAY UNION PRESSURE IN THE PARKING LOT

Jerry was right; the union is starting to play hardball. Yesterday, as I was finishing my lunch break, two guys from the final assembly department stopped at my table. I had seen them around but I didn't know them. "We have to talk" they said. "About what?" I asked. "You need to get with it and help us get a union in this plant to represent us," they replied. "Well this sure isn't the time to talk to me", I said, "my lunch break is over and I have to get back to work." As I walked away I thought to myself, "This is serious stuff. These guys are out to change my job, my company, and even my life. I just know I'll be hearing from those two guys again."

As it turned out I didn't have to wait very long. Today after clocking out I headed to the parking lot to drive home. As I got near my truck I heard footsteps behind me. When I turned around there they were, the same two guys, telling me to "Slow down; we need to talk now!" "OK" I said, "but I only have a minute. By the way, I know you two work in final assembly, but what are your names?" The big one, he must have weighed 260 pounds, said "I'm Bob Pernall and this is Bill Fellowcup, and we need to convince you to help us bring the union in here to represent us. It's time to stand up to the company so they stop taking advantage of us middle-class Joes."

"I'm still thinking about it", I said. Bob put his hand on my shoulder and gave it a hard squeeze. "Here's an authorization card", he said, "It's time to stop thinking about it and sign up." I responded in a sharp tone, "I am on my way home now and this is not the time." Bill said, "Well the time is coming when you won't be able to run away from the issue. You will have to decide if you are with us or against us, and I don't recommend being against us." "That's right", echoed Bob. "When the union takes over this plant we'll remember who supported us and who didn't and I, for one, wouldn't want to be one of those on the outside." With that they backed away, letting me get in my truck and head out of the parking lot. As I drove through the gate I could see them through my back window glaring at me, and Bob was shaking his fist.

THURSDAY EVENTS AT WORK

I am now beginning to feel the pressure and power of this union drive. The whole thing is getting out of hand and I had better think seriously about what will happen if I don't sign their card. The pressure built today because of three union-related events.

As I was going off break this morning, two of my best friends at work, Tom and Kevin, stopped me. They wanted to know my position regarding the "union activity" and whether I had signed a union authorization card.

"Where do you guys stand?" I asked. They replied that they didn't see any need for a union at our plant but that they were being hounded by the union representative and

some of his converts to sign cards, or else. "I don't know what to do", Kevin said. "They keep calling my house and coming up to me at work telling me to 'sign the card for the good of all the workers'". "I'm afraid of what might happen if I just tell them to get lost". "They stopped by my house when I wasn't home and scared my wife", said Tom. "She's not in good health and they told her that if I don't support the union I could lose my job and my medical benefits after the union wins the election. She want's me to sign a card, even though I don't believe in unions, just to get them off our backs."

"Well", I replied, "I don't know what to do. I sure don't like their tactics and I would like to tell them to go jump in the lake, but I'm thinking that might not be too smart. I haven't signed a card yet and I don't know if I will or not. I've still got some thinking to do and I guess I better decide pretty soon."

Later that morning my Supervisor, Allen Franks, stopped by my machine to check on a quality problem. I took the opportunity to ask him, "How does management feel about this union stuff?" I know Allen pretty well, and he had been promoted from an operator's position to Supervisor just about a year ago, so I thought he would level with me. Instead of answering my question he said, "The Plant Manager has told all of us supervisors that in the next day or two a Human Resources Professional is coming from corporate to give us information about what we can say and what we aren't supposed to say. Apparently we can get in a lot of trouble if we aren't careful about how we answer questions. Until then, I'm not supposed to discuss the matter with anyone."

Sorry that I can't answer your question right now, but I promise I'll talk with you about the union as soon as I have my marching orders." That wasn't the response I was hoping for and it sure didn't help me to make any decisions, but I guess I can wait a day or two for him to get back to me.

The work day finally ended and I remember thinking as I was driving home, "well at least I can forget about the union until tomorrow morning and just enjoy the evening with my wife". But she met me at the door with, "I wish you would keep your union stuff out of this house." Shocked, I replied, "What are you talking about?" She snapped back, "One of the wives, I don't remember which one, called me today demanding that I tell you to sign a union card. She said that if you don't support the union we will be letting the rest of the working families down." I interrupted her to ask, "When did this happen and just what did she say?"

"I had just finished my 10 AM to 2 PM shift at the school cafeteria", my wife responded. "The phone was ringing when I walked through the front door. This woman said her husband works in the assembly department and is a strong supporter of the union. She said the union will get the workers better pay and benefits, and the company won't be able to fire or layoff workers without the union's permission. She went on to say that any worker who doesn't support the union is a 'scab' and deserves whatever he gets after the union wins the upcoming election. I told her that you work at the plant, not me, and that you would make the decision you believed was right. Finally she said that some of the plant guys would be coming over to our house to talk to both of us about why supporting the union was the smart thing to do."

“When she hung up, I was so mad that steam came out of my ears and I’ve been waiting for you to get home so that I could tell you all about it.” “Calm down honey”, I said, “I’m trying to decide what to do and I don’t like the way the union is running this campaign. I promise that in a day or two I’ll make my decision and then all this pressure will stop.” “It better”, she replied, and with that we adjourned to the dining room for dinner.

THURSDAY EVENING HOW THE UNION COULD AFFECT MY LIFE

After dinner my wife and I had a long talk about what I should do with regard to signing the union card. I told her that I am perfectly happy with things the way there are at work. The company has treated us very well over the years and I have trouble seeing how the union is going to make things any better. On the other hand, my wife raised the question of what our lives will be like if I don’t sign up and the union gets in. All those not-so-veiled threats have her, and me too, concerned about our future. But, if the union is right, and the company can cut pay and benefits, lay employees off or fire anyone without a second thought, we need to think about how to protect ourselves. The union is promising to keep those kinds of things from happening. I just don’t understand how any union can make such promises.

When this thing started last Saturday I was sure that I would just say “no” to the union and that would be the end of it. Now I am really questioning whether to sign the card and be done with it. Why do I have to take sides and choose either the union or the company? Why can’t we just be one group of people working together as a team to get the work done in the best way? Why do we “need” a union to protect us from a company that up to now has been considerate of its employees? I don’t see any signs of the company “taking advantage of Joe the worker”, as the union put it. I feel that I’m stuck with a real dilemma. I hope Allen gets back to me soon and can shed some light on these issues so I can get rid of this “pain in the butt” problem.

FRIDAY NOW I HAVE A CLEARER PICTURE

I was surprised when Allen caught up with me at lunch time the next day. I thought he would need more time to get me some information. He told me that yesterday evening a corporate HR Manager and a lawyer had met with all of the supervisors about the union’s attempt to get employees to sign authorization cards. The HR Manager began the meeting by talking about how many American workers belong to unions. He told the supervisors that only 7.2% of the employees in the private sector actually belong to unions, while about 37.4% of the employees in the public sector, like government workers and teachers, belong to unions. He said that in a recent poll conducted among non-unionized employees, only 9% said they wanted to join a union and 81 % said they did not want to be represented by a union. The other 10% were undecided.

He went on to explain that the union only needs 30% of the employees to sign union cards in order to petition the National Labor Relations Board to hold an election. However, during a card-signing campaign the union tries hard to get two thirds of the workers in the proposed unit to sign authorization cards saying they want to be represented. Because employees feel pressured to sign, or sign just to get the union off their backs, many of those who do sign then vote against the union during the representation election. If the union doesn't have at least two thirds of the employees signing cards before the election takes place, they usually don't win. So according to the HR Manager it is important for the supervisors to be available to answer questions for the employees during the card-signing campaign before they ever get to the election stage.

If the union can get enough workers to sign cards, they then petition the Federal Government's National Labor Relations Board (NLRB) to conduct a representation election at the plant. After a period in which the company and the union campaign for their positions, the NLRB holds a secret, written ballot election and the winner is the side that gets 50% plus 1 of the votes cast. That means that if there are 250 workers who have the right to vote in the election, but only 100 actually cast ballots, 51 employees can decide whether that plant will have a union!

During the campaign period before the election the company can meet with employees to explain why they should not vote for the union, give them information about unions, answer questions they might have, and try to point out union claims that are untrue or exaggerated. However, The National Labor Relations Act, the law that governs the relations between companies, unions and employees, is very specific about what the company can and can't do in this situation. Company representatives, that means supervisors, managers, etc. must be very careful not to violate the "TIPS" rule. That is, they cannot THREATEN, INTERROGATE, PROMISE, OR SPY in an effort to influence how employees will vote. They must also be very careful to tell the truth and to give only accurate information. If the union believes that the company has violated any of these requirements it can petition the NLRB to recognize the union without an election! Unfortunately, the union is not bound by such rules and they can lie and distort all kinds of information, and frequently do, to get employees to vote for representation.

Allen told me that if the union gets enough workers to sign cards, as the campaign goes on the company will be conducting meetings and distributing information to the employees about what happens in unionized environments. We'll be told about union dues, assessments and fines; we'll learn how the union spends the money it takes from the employees' salaries; and what really happens in a contract negotiation. We will also be told how unions keep employees from interacting directly with supervisors; what a strike actually is and how it affects employees and companies; and lots of other information. However, Allen said, it is very important for supervisors, in their daily conversations with employees, to let them know that the company definitely does not believe that a union representing the employees is necessary or a good thing.

“But the union said that the company doesn’t really care about the workers and that if the union represents us they can get us better pay and benefits, better working conditions, and protect us from layoffs and terminations”, I said.

Allen told me that, no matter what the union promises, nothing can happen unless the company agrees to it. Sometimes the employees think that the company doesn’t care, and Allen said that just isn’t true. He worked in a plant once where he had to join the union to keep his job. He told me about some of his experiences and how being in a union had affected his work life on the job. He pointed out that the union had taken away his personal freedom to discuss problems with his boss and to ask for a raise when he thought he deserved one. He also told me about the cost of union initiation fees and dues, and how once the union got in it was impossible to get it out again. In the space of about 15 minutes he opened my eyes to a lot of issues I hadn’t considered and gave me a lot of facts that the union would never have talked about. I now have a lot more information to consider as I make a decision about signing a union authorization card.

SUNDAY LATE MORNING THE PRESSURE KEEPS GROWING

My wife and I had been enjoying a relaxing weekend, and we were on our way home from church planning the afternoon ahead. As we turned into our driveway I noticed a car parked in the street—it looked a lot like the car that “Big Jim” Twist had been driving last weekend. “Oh, oh”, I told my wife, “Our restful weekend is about over; the union pushers are here again.” Sure enough, as we headed for the house two men and a woman got out of the car and started our way. One was “Big Jim” and the other two I had never seen before. As they came toward us Big Jim shouted, “We’re here to get your signature on this card.”

They walked up onto the porch as we were unlocking the front door. What could we do? We had to invite them in. “This really isn’t a good time”, I said, “but come on in for a few minutes.” As he waved the card in my face Big Jim said, “This won’t take too long.” “Before we talk about signing anything”, I said, “Who are your friends and why are they here?”

“Oh,” replied Big Jim, “These are two loyal supporters of the union. The big guy (a 200+ pound bruiser) is Sam Jorst, he works in the shipping department at L & B Company over on Back Street, and Mildred is Sam’s wife.” As we sat down I thought to myself, how did I get into this and how am I going to get out of it? The only thing I could think to do was to ask Sam and Mildred why they had come, even though I was sure this conversation would end up backing me into a corner.

Sam began by telling me about the International Brotherhood of Union Members and all the great things the union had done for the “average guy” at L & B Company since the employees had voted the union in 5 years ago. “The union got us an increase in pay in

the second year of the new contract”, he said, “and our medical benefits are way better now than they were before the union got in.” He went on to brag that, “When I got fired last year for sleeping on the job, the union grievance committee filed a complaint on my behalf and got the termination reduced to a 7 day suspension; without them I wouldn’t be working for L & B any more.” I noticed that he didn’t mention the 6-week strike that had taken place at L & B two years ago, even though it had been a big story in all the local papers; and he didn’t talk about the layoff that had just reduced L & B’s workforce by 20% either.

Before I could say a word, Mildred jumped in and began giving my wife a sales pitch for the union. “Sam has had a number of jobs since we got married,” she said, “But since the union got in over at L & B I don’t worry about him losing his job any more. He has enough seniority that he won’t be laid off unless they close the place. He also doesn’t work much overtime any more; he can refuse OT if they ask him and they can’t do anything about it. He’s home most evenings and weekends now, unless he’s off fishing with his buddies”. In the middle of Mildred’s monologue my wife stood up and said, “You will have to excuse me, I have other things to do”. Then she walked out of the room leaving me there surrounded by union supporters. I know she was making it clear that she didn’t want any part of this union stuff, but damn did I feel all alone.

Big Jim jumped back in before I could say anything, and began waving the union card around. “The time has come for you to get off the dime and join us in this important effort”, he said. “The union is the best thing that ever happened to the working man and with or without you our union is going to represent all of the plant workers at your company.” At this point he was standing up, shaking his fist with the card held tightly in his other hand. “I know you don’t want to stand in the way of your fellow workers bringing the union into your company”, he continued, “And you sure don’t want to get the reputation of being a ‘scab’. Sign the card now, we’ll tell your friends that you did, and you won’t be bothered again until the election is held.”

That did it for me. I stood up, grabbed the card from his hand and said, “I’ll think about it some more and I want the chance to discuss what you have said with my wife who, as you can see, has been upset by all of this. You’ll have my answer tomorrow.” The other two stood as well and as they got to the door Big Jim turned, pointed his finger at me, and said, “You’re a smart guy, I know you’ll do the right thing for your own sake, as well as for the rest of the folks you work with.”

MONDAY MORNING I DECIDE TO SIGN THE CARD

After the “fearsome threesome” left yesterday, for the rest of the day I got the silent treatment from my wife. I knew she was upset and I tried to talk with her about it but all she would say was, “You figure it out. Just be sure you do what’s best for our family.” You’d think this whole thing was my fault. I’m having all kinds of problems: I can’t sleep; my wife isn’t speaking to me; some of my best friends think I’m caving in to the

union pressure. I'm sick of the whole mess. I want to do the right thing for my family. I want to keep my job. I don't want to be dependent on some third party that really doesn't have my interests at heart.

Today is the day of reckoning. I told my wife at breakfast this morning that I am going to sign the union authorization card and turn it in to them when I get to work. I even signed the damn thing right there at the breakfast table. I'm sure some union supporter will be waiting for me in the parking lot when I get to work. What finally helped me to decide was recalling something that my supervisor, Allen Franks, had told me. He said that the union must get at least 30% of the employees to sign union cards before there can be an election. He told me that, "The union tries hard to get two thirds of the workers in the proposed unit to sign authorization cards saying they want to be represented. Because employees feel pressured to sign, or sign just to get the union off their backs, many of those who do sign then vote against the union during the representation election. If the union doesn't have at least two thirds of the employees signing cards before the election takes place, they usually don't win." So I can sign the authorization card and still vote "NO" at the ballot box during the secret election. No one but me will ever know how I voted. It feels a little sneaky, but the union has forced me into this position. Signing the card will get them off my back but I can still stick to my principles and vote my conscience at the election. Thank God for the democratic process.

Sure enough, as I was getting out of my truck and heading for the plant, "Big Jim" came racing across the parking lot with his hand out for the card. He got a big smile on his face when I gave it to him and he saw my signature on the form. "You made the right choice", he said, you won't regret it. Now we can concentrate on the other slackers and get this thing moving in the next few weeks."

As I walked toward my machine I saw my good friend, Jerry Riggs pass by. He gave me the thumbs up or thumbs down sign with a questioning look, and I gave him a shy thumbs up. I couldn't see his reaction, but I bet he made the same decision I did.

For the first time in more than a week I feel that I'm back in control of my life and not under the thumb of some third party whose only interest is keeping the union alive. I just hope that there are enough of us who vote "NO" so the union doesn't organize our plant.

THE LAST TWO MONTHS THE ELECTION PROCESS

When I signed the union authorization card and gave it to Big Jim I thought things would quiet down at work. Boy was I wrong. Less than one week later the company posted a notice on our bulletin board telling us that the union was claiming so many of us had signed cards that the company should just go ahead and recognize the union without an election. Thankfully the company refused to do that, so apparently the union applied to

the National Labor Relations Board (NLRB) to conduct a representation election—something I didn't know anything about. So the NLRB appointed one of their staff members to investigate and sent a copy of the petition to the company with a poster explaining the employees' rights in the election. The company put the petition and the poster up on the bulletin board and we were all asked to read them carefully. According to the petition, the union has enough signed cards to ask the NLRB to hold a representation election. The poster said that once the NLRB had investigated and resolved some issues about who could vote they would conduct a secret ballot election and we would get to choose whether the union would be representing us in the future.

Next the company and union representatives went to a meeting with an NLRB representative where they argued over who should have the right to vote. The union proved that it had enough cards signed to call for an election and each side presented its position about which of us would be allowed to cast ballots. The NLRB's decision was based on who would be covered in the "bargaining unit" if the union won the election, and both the company and the union were advised of the decision in writing. My supervisor, Allen Franks, told me that the company was required by law to develop something called an "Excelsior List" that identifies the names and addresses of all the employees who will be allowed to vote in the upcoming election, not just those, like me, who signed cards. The company was required to give this list to the NLRB and the government gave a copy of the list to the union. The union uses the list to contact employees to campaign for their votes, and the NLRB uses it to make sure that only those who are allowed to vote will actually cast ballots on election day. Some of my buddies were pretty upset when they learned that the union was getting their names and addresses but I thought, what the heck, they know who I am and where I live, they've already been to my house several time hassling me.

The next thing was a posting from the NLRB setting the election day for 45 days from the date on the poster. It said that the election would be by secret ballot, that it would take place in a designated area in the plant, that employees would have a 24-hour period in which to cast their votes, and that an NLRB representative, a union representative, and a company representative would be present during all the voting. They wouldn't know how anyone voted of course, but they could object to any particular voter if that person wasn't on the "Excelsior List", or had left the company between the time the list was created and voting day.

Once the date of the election was set the campaigning really began. The company held small-group meetings with all of us to tell us why we shouldn't vote for the union. They talked about the costs of membership, and the union's right to fine, punish and expel members. They gave us copies of the actual tax forms filed by the union in the past few years showing how much money the international union officers had been paid and the size of their expense accounts (it even listed Big Jim Twist's salary and expenses). They pointed out that all the money the union pays its officers comes out of the pockets of its members. We heard about strikes and lockouts, plant closings, layoffs, negotiations that did not result in improvements for the employees, and companies that had moved their operations out of state or out of the country because they couldn't

compete with their non-unionized rivals. At every meeting we were reminded that the union couldn't get any improvements for us that the company didn't agree to. And something I hadn't thought of, in negotiations everything is up for grabs. That means that the wages and benefits we have now could actually go down as a result of contract bargaining. Everything the company told us was backed up by newspaper articles, government reports and forms, and other kinds of proof. I guess they wanted to be sure that they couldn't be accused of lying or exaggerating or threatening us.

One of the things that I found interesting was some of the history of labor and unions in this country. What they told us makes it sound like the whole process was designed to protect our democratic right to choose. In the beginning, when workers tried to join together in associations or unions, companies hired "goon squads" to keep them from being successful. These hired thugs used violence and force to keep the unions out. After several years of increasingly violent clashes, with a number of beatings and killings, the National Labor Relations Act was passed to make sure that workers could safely band together to improve their wages, hours, and working conditions. This law, which protects the workers' rights to vote in secret elections about whether to join unions, controls unions as well as companies in their dealings with employees. The law stopped the companies from interfering in the process and from the 1930's into the 1950's union membership increased a lot in the US. But since the mid 50's union membership has been steadily declining until today only about 11% of the workers in manufacturing plants belong to unions.

The union held several all-employee meetings at the local VFW hall, as well as a couple of bar-b-ques to which we and our families were invited (my wife refused to go). Big Jim did most of the talking and he told us about negotiations that had resulted in pay increases, benefits improvements, pension plans, and other union-won goodies. He talked about grievances and arbitration cases that the union had filed to get fired employees reinstated. He listed all of the companies in our state that had employees represented by The International Brotherhood of Union Members, and he brought some of those employees to the meetings to tell us how glad they were to be members of the union. Big Jim said that the union movement was the best thing that had ever happened for the working man, and he told us that the increases in the minimum wage that congress had passed were the result of union support and pressure on the House of Representatives and the Senate. I did notice that Big Jim said a lot of things, but he didn't offer any proof of what he was promising or documentation of what he said had happened.

He also told us that the union has a whole stable of paid lobbyists in Washington whose only job is to push for pro-union legislation like the EMPLOYEE FREE CHOICE ACT which congress is currently considering and that President Obama has promised to sign if it gets to his desk. Although former president Busch promised to veto the legislation if it got past congress, Big Jim quoted President Obama as saying, "*We will pass the Employee Free Choice Act. It's not a matter of 'if'; it's a matter of 'when'. We may have to wait for the next president to sign it, but we will get this thing done*".

I heard so much from both sides that I finally got tired of it all and tuned it out. The election is scheduled in two more days and I can't wait to cast my vote and get this mess over with. How many of my fellow workers will vote for the union and how many against? Will the union win? Will the employees vote to keep the union out? Let's just get to the vote and stop talking about it.

THE VOTE THE FINAL OUTCOME

It's finally over! Yesterday the NLRB was here at the plant for 24 hours beginning at 7:00 AM and ending at 7 AM today. Because our shifts work from 7 AM to 3 PM, 3 PM to 11 PM and 11 PM to 7 AM, the election was held for a 24-hour period to allow all of the eligible workers to vote. We were told that we could vote before our shift began, after our shift ended, or during our breaks or lunch periods. I'm on the day shift so I decided to vote during my lunch period.

In the Shipping Department of the plant they set up a cafeteria table with three chairs, a voting booth, and a locked ballot box. The union and the company each had a representative sitting at the table, one on either side of the NLRB agent. As I came in to vote I went to the table and gave my name and clock number, and showed my company ID badge which has my picture on it. The NLRB agent checked off my name on his copy of the "Excelsior List", and then he gave me a special ballot. Actually it was just a half-sheet of paper that said, "I choose to be represented by the International Brotherhood of Union Members". It also had a "YES" box and "NO" box on it. I was instructed to mark only one box, to fold the paper so that my selection couldn't be seen, and then to place my ballot in the locked ballot box. Only I was allowed to handle my marked ballot, and once it was in the locked box it got mixed in with all the others so no one but me could know how I voted. I had to wait in line a bit to vote, but the whole voting process didn't take me more than 15 minutes.

When the 24-hour period ended, and all of us eligible workers had gotten a chance to vote, the NLRB agent, with the company and union representatives watching, opened the ballot box and counted the number of "YES" votes and "NO" votes. Today the agent posted an official notice in the plant saying that 13% of the votes cast had been "YES" votes and 87% had been "NO" votes. The union lost the election; and for the next year we are a non-union plant. Neither the International Brotherhood of Union Members, nor any other union, can attempt to organize us again during the next 12 months.

In spite of the number of signed cards the union was able to collect by going to workers face to face, the democratic process of holding a secret ballot worked. I feel relieved and happy that it is finally over. We can now go back to doing our jobs and making our plant successful without the interference of the union.

But if Big Jim is right, and the government had changed the labor laws so that there were no secret ballot elections in union organizing campaigns, THE INTERNATIONAL

BROTHERHOOD OF UNION MEMBERS WOULD NOW BE OUR EXCLUSIVE BARGAINING AGENT! Even though 87% of my fellow workers voted "NO" in the election, what good would that do us if elections were eliminated? The pressure to sign the union card was intense. Would I have signed one if I had known that there would not be a secret ballot vote? I'm just relieved I didn't have to make that decision, and I hope I never have to.

HOW UNIONS CONTROL YOUR WORK LIFE

As you read the following story here are a few questions you might want to ask yourself:

1. How do you feel about having two bosses, the company and the union?
2. How would you feel about being forced to join a union so that you could work?
3. Why would the union want you to restrict your work output?
4. Why would a union insist on work practices that reduce output and hold down production?

HOW UNIONS CONTROL YOUR WORK LIFE

A DAILY ACCOUNT OF JEREMY RIDER'S EXPERIENCES

Introduction

Day 1 – Monday

Day 2 – Tuesday

Day 3 – Wednesday

Day 4 – Thursday

Day 5 – Friday

Day 6 – Saturday

Day 8 - Monday

INTRODUCTION

My name is Jeremy Rider and I'm a college student living in Ohio and working my way through school. It didn't start out that way. I had no financial support from my family but I did get a huge student loan for my freshman year. By maintaining a starvation diet and not spending anything I didn't have to—you can read that as having no social life—I managed to get through my first year. But when it came time to register for the next semester it became clear that if I was going to stay in college I was going to have to get a job and cut my schedule of classes to make time for work.

Job hunting wasn't easy. I was competing with a lot of young people looking for summer jobs as well as a number of unemployed older people with various kinds of experience. However, after a lot of looking I did manage to land an offer from The Heat-A-Later Company. They manufacture furnaces. I was offered a second shift position as a spot welder. I would work from 4:00 PM to 12:00 Midnight, with frequent 2-hour overtime opportunities. That meant that many nights I wouldn't get off until 2:00 AM. I reduced my class schedule to 9 hours (three classes) and was able to schedule the first class for 9:00 AM. On the nights I worked overtime I didn't get home and into bed until almost 3:00 AM, and I had to get up by 8:00 AM to make that first class.

DAY 1 - MONDAY

The day I started work I began by going through an orientation and some basic training on being an employee for The Heat-A-Later Company. I learned that I would be helping to build the side panels for high efficiency furnaces. I was required to sign a ton of forms including detailed explanations of the plant rules and the benefit programs. I took it all in stride and had no problems until they told me I had to sign a form authorizing the company to withhold a union initiation fee and monthly union dues from my paycheck. The Human Resources Representative explained that the plant had been unionized by The International Brotherhood of Union Members and anyone who wanted to work in a production or maintenance job had to join the union and sign the payroll deduction authorization form. It was something they called "dues check off". I told her that I didn't need or want the union to represent me, and I resented being made to join and pay an initiation fee and monthly dues, but she told me the choice was join or don't work. I was caught between a rock and hard place. What was I to do? So I grumbled some but I signed the form.

After completing all the paperwork I was introduced to my supervisor, Roy Meyers. He seemed like an OK guy and he spent some time with me going over the job requirements and the safety rules. Roy assigned me to a production team and gave me a lecture on working as a team member. Mostly, he said, it meant jumping in to help other employees on the floor, and attending team meetings that were designed to improve efficiency and quality. We also reviewed the plant rules, and he told me that I would soon be meeting my Union Representative who would go over the contract with

me, explain the relationship between the company and the union, and point out the do's and don'ts of being a union member.

After about five hours of meetings and lectures, and a tour of the plant, Roy finally took me over to the spot welding station where I was going to work. He introduced me to a guy named Sam Barron. He was the trainer on my machine and was assigned to teach me to operate the spot welder and how the production flowed through the plant. Sam was big, and very commanding, and he told the supervisor, "Have no fear; we'll get this college kid on board". As soon as the supervisor walked away Sam said to me, "Now your mine, and you damn well better fall in line or you're in for a miserable time in our plant." I didn't know it at the time, but later I learned that Sam was the Chief Union Steward and he had worked for the company for more than 20 years.

That first day I left work at midnight and as I was clocking out three guys who were standing at the time clock shouted, "Well it looks like the college kid made it through his first day!"

DAY 2 – TUESDAY

When my shift ended yesterday it was too early in the morning to call my dad to ask him a question. However, as soon as my classes were over I called dad to ask him about my having to agree to have union initiation fees and union dues taken out of my check automatically. Dad explained that there are only 22 states in which it is illegal for a company and a union to require employees to join the union as a condition of employment. These states have laws which prohibit "union shops" or "closed shops" and allow employees, even in plants that have been unionized, to work without having to join the union. These "Right to Work" laws secure the right of employees to decide for themselves whether or not to join or financially support a union. In all of the other 28 states there are no such laws and once a union has organized a work place it can negotiate for a "union or closed shop". Once a company agrees, any employee who wants to work there must join the union and agree to pay initiation fees and union dues. If an employee refuses to join, the company must fire him. The next thing the union negotiates is a "dues check off" provision. This provision requires the company to withhold initiation fees and union dues from the employees' pay checks and then send the money directly to the union. The union gets its bite of the apple right after FICA, Federal Taxes and State Taxes are withheld. The employees have no chance to refuse to pay the full amount of union dues, even if their hours are cut and their overall pay drops. Unfortunately my state has no "Right to Work" law; so that's why I had the choice of either joining the union and paying the fees, or not working at The Heat-A-Later Company—some "choice".

When I got to work at 4:00 PM, I thought I would ask Bob Banks, the operator on the station next to mine, a few things about his experience company; like how long he had been there and how the union got started. I had been introduced to him the day before, but we hadn't had a chance to talk. So at our first break I caught up with Bob in the

break room. He told me he had worked for Heat-A-Later for more than 20 years and that he had come to work here right out of high school. He said that when he first began there was no union in the shop. It wasn't until about five years ago that union got voted in, and it was a real close vote even then. "I don't remember the exact count", he said, "but I think the union got certified with only a 5 or 6 vote majority. I didn't vote for them, but we got them just the same." He went on to say that the first contract took a long time to negotiate. In the end, the union managed to get the company to agree to a closed shop agreement, super seniority for union officers, and a dues check off provision. It wasn't until the last contract, which was negotiated 22 months ago, that we got any wage increases or benefits improvements.

I asked him how he felt about having a union and he said, "That's not a question you ask around here if you expect to keep your job very long. I learned pretty quickly to keep my head down and my mouth shut, and I would advise you to do the same thing." All the conversation did was to make me even more frustrated. I just don't understand why I have to do what some union representative tells me to do. I thought I was hired by The Heat-A-Later Company, not the union, and I am responsible and accountable to my supervisor, Roy, not to some union leader.

When I got home after work, tired as I was, I just couldn't fall asleep. I just kept wondering how I was going to do my job with two different "bosses" looking over my shoulder. I grew up in a family that taught me to be loyal to my employer, not to some interfering union that just happened to get authorized. The bible tells us that, "No man can serve two masters". I don't think God was talking about the company and the union, but it sure seems to fit my situation.

DAY 3 – WEDNESDAY

Yesterday was a pretty good day. My Supervisor, Roy Meyers, even commented on how well I seemed to be picking up the routine. Just after our shift started Roy called a team meeting of the Panel Department #8 operators. He wanted to tell us that with the winter demand now in full swing, the production schedule had been adjusted so that we could "get out more units". He explained that we would have to "step up" the work pace in order to meet the new delivery schedule. One member of our team, Mike Justice, asked, "What are you expecting us to do?" Roy answered, "Just take some of the slack time out of your day". Mike's response was, "What do you mean by take out the slack time? We work hard!" Roy said, I'm not suggesting that you guys are goofing off or anything like that. I just want you to pay more attention to what you are doing on the line. Less talk and more work would be nice; and let's keep the breaks down to 10 minutes instead of stretching them out the way some do." That ended the meeting, but it was clear that some of my team members weren't happy about what Roy had said. We headed back to the department and everything seemed to go OK until about 11:30 PM. Then Sam stopped by my machine and said, "We're holding a parking lot meeting with the guys on your team right after your shift ends." He made this announcement in

a loud voice that carried over the noise of the machines—everyone heard him, including the supervisor.

At midnight I clocked out and headed for the parking lot. There were a bunch of guys milling around Sam's truck and when we had all gathered he got up in the back and held up his hands to quiet us down. Then he began, "Well, today management decided to push us. They want more work from us for the same pay and that's not gonna happen. We signed a contract with the company 22 months ago and it specifies work standards as well as rates of pay. They tried to get some play in the standards so that they could increase production during the busy season and we fought them off. If they think they can sneak in the back door with their *'get the slack out of your day'* BS, they've got another think coming. If they want more work from us they can just pay us more and that's all there is to it. I'll be watching all of you, as well as that sneaky supervisor, and I'm warning you, you better not change one thing on that line. We control its pace and it won't be moving one inch faster than it does right now. Anybody got any problems with that?" There was just silence in the parking lot as we all thought about what Sam had said; then I just went to my car and drove home. It looks like tomorrow will be interesting, and I wonder what our supervisor, Roy, will say when he hears what Sam told us.

DAY 4 -- THURSDAY

Today I clocked in right at 4:00 PM and went straight to my work station. I hadn't been there for more than five minutes when Roy walked by and announced, "We are having a team meeting in the supervisors' office—NOW!" I figured it was important because our last meeting had been in the break room, not in the office that Roy shares with four other supervisors. When I entered the office I noticed that the other supervisors were leaning against the wall with their arms crossed like they were also included in the meeting. It was a pretty good bet that Roy was going to comment on the pronouncement that Sam had made last night, and sure enough, he started the meeting by saying, "I understand that you heard a few things from Sam last night—let me set the record straight. Sam was correct when he told you that the company and the union negotiated a new contract 22 months ago that included work standards and rates of pay. What he didn't bother to mention to you is that it also includes break times and basic shop rules that employees must follow.

I'm pretty easy going on you guys. You are supposed to get two 10-minute breaks each day. I know that sometimes it takes longer than 10 minutes to get to the break room, get a cup of coffee, and get back to your station, and usually I don't say anything. If a guy takes a third break now and then to smoke or hit the men's room, I don't usually do anything about that either. And while talking with your teammates when you're working isn't against the rules, if it slows the work down that is against the rules. If you guys will remember the team meeting we had on Wednesday, you'll recall that I didn't ask you speed up the line or exceed the work standards in any way. What I did ask was that you take some of the 'slack time' out of the day. Now why do you suppose I asked

that? Well, orders are increasing as the weather is getting colder. The company is trying to take advantage of the upswing in the cycle so that we don't lose orders to our competitors.

Most of you can remember times in the past when the company has had to cut back on the workforce when the order load dropped. We've been able to avoid that for the past few years. Layoffs don't help any of us—you lose income and the company loses trained workers. So, if we can increase the number of furnaces we make and keep costs under control by keeping breaks down to two of no more than 10 minutes, and reducing the unnecessary chatter on the line, the customers will be happy and we will all benefit. No matter what Sam told you, your paychecks come from Heat-A-Later, not from The International Brotherhood of Union Members. The company provides the jobs and the pay. Although we do have a contract with the union, and we fully intend to live up to our commitments, just remember who you work for. Now are there any questions before we get back to making furnaces?" There were no questions, so we all filed out and returned to our work stations.

After the meeting I was really pumped up. I wanted to help the company meet delivery schedules and hold costs down. As part of my Supply Chain major in college I was taking a course in Operations Management. Although I had only been on the job a few days I already had some ideas of how we could change the way my station operates so that we could turn out more panels. For example, the station before ours on the line is about 50 feet away. When that station completes their work on a group of panels they load them onto a panel cart. Then a Material Handler moves the panel cart from their station to ours so that we can do the spot welding. If the Material Handler isn't around when they fill a panel cart, they have to wait for him and so do we. We just stand there waiting for the Material Handler to return and push that cart some 50 feet from one station to another. I estimated that if I went over to their station and got the panel cart when it was full, or if they pushed it over to our station when the Material Handler wasn't available, we could save an average of 30 minutes of idle time each shift.

I also noticed that the holding brace that positions a panel for spot welding at our station has to be moved after each spot weld. This means that the brace has to be moved a number of times in order to make all the spot welds on a panel. If we position the holding brace differently we will only have to move it twice to make all the welds on each panel. This would save about 20 to 30 seconds on every panel that pass through our station. We wouldn't be working any harder or faster, but the number of panels we finish per shift would increase.

Roy stops by each station several times during the shift to see if we are having problems and to answer any questions we might have. I decided to tell him about my ideas the next time he came by. He had no problem with repositioning the holding brace and wondered why that hadn't been thought of before. But he cautioned me against going over to the other station to get the panel cart myself. "The Material Handler is a union member", he said, "and he follows a predetermined route through the department. The route was designed to be the most efficient possible and usually it

works fine; but sometimes he gets to shooting the breeze with one other the other guys and he falls behind. If you just go and get the panel cart he might think you are trying to make him look bad, and that wouldn't be good for team spirit." I could see his point, and after we had discussed it for a minute of two Roy told me to go ahead and try repositioning the holding brace tomorrow, and keep him posted on how it worked.

When I left that night I was really feeling good. I was sure I had found a way to help the customers, the company, and all the guys on my team.

DAY 5 – FRIDAY

Friday finally arrived. After my shift tonight I can get some sleep and relax for the weekend—no classes until Monday. I felt pretty upbeat about my job, and particularly with the paycheck I would be receiving next week (it should include the five hours of overtime I worked this week). After about an hour on the job I got to thinking about my conversation with Roy yesterday. He didn't authorize me to go get the panel carts from the station before mine, but did tell me to go ahead and relocate the holding brace to see if it would save the amount of time I had predicted.

I began repositioning the holding brace and timing how long it took to complete the welds on each panel. I was right! The change saved about 15 seconds on each welding cycle. I found that I was going through panels faster than before and they began to pile up at Bob's station. He didn't say anything, but he glanced at me once or twice with a straight face. I took this to mean that he was OK with what I was doing. After I finished with the all the panels on the first cart I had to wait about 10 minutes before the next panel cart was delivered. Then I welded them up using the same method as I had on the last group. By this time Bob had a large stack of panels waiting for him to weld.

After waiting about 15 minutes for the next panel cart to be delivered, and feeling strange just standing there doing nothing but waiting for the material handler to come by, I went over to the station before mine, grabbed the full panel cart, and pushed it over to my station. Using the same method as before I welded them and sent them on to Bob. By this time there was a huge pile of panels waiting for Bob to weld. I felt a little guilty and, since it was break time, I caught up with Bob and asked him if he had a problem with what I was doing. "You're going to make me look bad", he said, and he didn't seem too happy with me.

After break was over I headed back to my station. I saw Roy on the way and told him what I had been doing. He followed my back to my station to see for himself. He seemed please with how it was going, but he cautioned me again about getting my own panels. Instead he suggested that I jump in and help Bob, who was falling behind. Bob seemed to appreciate my help and for the rest of the shift we worked together and managed to produce a record number of panels.

Toward the end of the shift I saw Sam and another guy storm into Roy's office. They were all standing and really jawing at each other, hard. I could only guess what that was all about but I was pretty sure they were unhappy about what I was doing. After a while Sam and his sidekick marched out of Roy's office and headed my way. As they walked by my station Sam shook his clenched fist at me and shouted, "We'll see you later." Sam probably weighed 225 pounds, and I was about 170. But he's an old guy and I'm in pretty good shape; I'm much younger and I work out in my spare time. If he threatened me, or decided to go a few rounds, I was pretty sure I would come out OK.

There was no overtime that night so when my shift ended I clocked out and headed for the parking lot. As I got close to my car I could hear what sounded like several people running up behind me. As I turned around three guys jumped me. Two of them, I didn't recognize them, grabbed my arms and pinned me against my car. The third one, Sam, got right up in my face. He grabbed my collar and snarled, "Alright college boy, you just had to ignore my friendly warning. I don't know who you think you are, but the union runs this plant; and no wet-behind-the-ears college snot is going to screw things up for us. You think you're smart but you're not, not if you think you can go up against the union and get away with it. If you want to continue to work here, and stay healthy, you do what you're told when I tell you to do it. On your next shift you go back to welding at your station just the way you did on day one, you got it? If you turn out one more panel than you did on your first day here, or do anything else to speed up production or make us look bad, your ass is mine. The monetary fine the union will slap on you only be the beginning of what we have in store for you if you don't get in line. Now have I made myself clear? Do you understand what I'm telling you?" I just nodded my head and then stood there shaking a bit as they walked away into the dark.

DAY 6 – SATURDAY

On the drive home I had this big knot in my stomach. I realized how lucky I had been-- out there in that dark parking lot, with three big guys who could have easily given me a bad beating. When I got home I couldn't sleep, I just kept rolling from side to side. I couldn't get what had happened after work out of my mind. Finally, I drifted off and slept until about 9:30 AM. On waking my first thought was, "What am I going to do?" I had to work if I was going to stay in school; and on top of that I had a big paper due on Monday and a major test next week I had to study for. Despite that, all that kept going through my mind was what right does the union have to bully its members? How can they say they represent us when they don't really care about us at all? All they want is our money and control over everything we do. What had I done that was so wrong? All I did was apply what I had learned in school to make the job easier and produce more panels for my employer. I thought that was the idea!

I realized that don't stand a chance against those guys and the union. The only choices I could see were to cave in and keep my head down, or quit. I kept thinking about the conversation I had had about unions earlier in the week with my dad, and suddenly it struck me that maybe he could help me figure out how to handle this mess. I called and

gave him a brief summary of what had happened and he said, "Son, why don't you come on over and we'll talk it through."

When I got to the house he had coffee waiting and it really tasted good. But after I finished telling him my story in detail he didn't seem to be as sympathetic as I had expected. "What did you think was going to happen?" he asked. "Those guys have worked there for years. They're comfortable with their jobs and their union. Then a new kid comes in with no background or experience in the industry, and within one week he starts making changes that make them look bad. Of course I'm glad that you didn't get hurt, and I'm upset that they would threaten you like that, but you didn't really give them too many options. What surprises me most is that your supervisor didn't anticipate the union's reaction and warn you about what you were risking." "But dad", I said, "My professors are teaching me how to study work and find ways to be more productive. It's obvious that companies have to reduce costs and increase production if they want to stay competitive. And it seems pretty clear that the better the company does the more secure the employees' jobs will be. Why can't the union see that?"

"Oh they understand it", he replied, "but they see change as threatening; particularly if they haven't been involved in recommending and implementing the changes from the beginning. Think about how uncomfortable you were earlier this year when your Math teacher left and was replaced by a new professor. The new teacher had different ideas about homework and test scoring, and you students were pretty upset about having to make those changes in the middle of the semester." "I see your point", I said, "But that doesn't make what the union did right." "Of course not", said dad, "but if you put yourself in their place, maybe you can understand their position a little better. Some companies, the forward thinking ones, use pay for performance systems or gainsharing plans to involve their employees in making improvements in productivity, quality, customer service and so forth. Unfortunately many companies, Heat-A-Later included, haven't reached that level of understanding yet. The advice I have for you is to go back to work on Monday and just do your best to fit in. Sometimes you have to go along to get along, and that's what you'll have to do if you want to keep working for your present employer. For now at least it pays your bills and keeps you in school. And one more thing, you should think about what you will tell your supervisor on Monday. You'll have to give him some explanation of why you won't be using that new positioning system to increase panel production, and I don't think it would be wise to complain to him about being threatened by the union."

I have a lot of respect for my dad, but his advice didn't make me feel any better. In a country where we supposedly have rights, and where our future depends on a strong and viable economy, it makes no sense to me that I can't help anyone I want to. That's the way I feel about the Heat-A-Later company. I want them to succeed because they have lots of employees whose families depend on the jobs the company provides. It's frustrating that I'm not allowed to help them do better. I'm afraid that the union will eventually strangle this company, forcing them to close the plant and move the jobs to another state or even to Mexico or China. But I guess I'm just going to have to be selfish about this and start thinking about my own future. There is really no choice for

me if I want to keep earning the money I need to stay in school. I'll have to just lay low and go back to the old way of welding panels.

DAY 8 – MONDAY

On Monday afternoon I got to my work station at the start of my shift. I felt that all eyes were on me, waiting to see what I was going to do. So I went back to welding the old “slow way”. Everybody relaxed and by mid-shift it seemed as though nothing had ever happened. Roy came by my work station and said, “How are things going? You don't seem to be turning out panels the way you did on Friday.” I just looked at him and replied, “Everything is back to normal”. With a knowing shake of his head he said, “I understand”.

This past week has really taught me a lesson. My rights to not join the union and avoid paying union dues have been taken away from me because my state hasn't passed “Right to Work” legislation. My rights to help my employer improve production and increase profitability (after all the company does pay my salary) have been taken away from me by the union. I made up my mind that I will never again work in situation where I have to be in a union to keep my job.

**HOW UNIONS PRESSURE YOU TO JOIN
EVEN IN “RIGHT TO WORK” STATES**

As you read this story here are
a few questions you might want to ask yourself:

1. Are you aware of the pressures that unions use to force you to join even if you don't want to?
2. Why would a union want employees to become members even if they don't want to?
3. Why do you think 22 states have “Right to Work” laws?
4. Do you know what it means to be called a “scab”?
5. Do you know how much it costs each month to be a member of a union and do you know what the money is used for?

**HOW UNIONS PRESSURE YOU TO JOIN
EVEN IN “RIGHT TO WORK” STATES**

A DAILY ACCOUNT OF HARMONY ELDER’S EXPERIENCES

Introduction

Monday & Tuesday

Wednesday

Thursday

Friday

The Weekend

Monday

Tuesday

INTRODUCTION

My name is Harmony Elder and I am in my late 20's and enrolled in college working on an LPN Degree. It has always been my ambition to be in a field where I can help others and this desire lead me to obtain my license as a Nurse's Aid. Shortly after receiving my license I landed a job in an assisted living facility, and I really liked the work.

However, just 6 weeks after I began the job I learned that I was pregnant, and I had to give up working for medical reasons. I moved in with my parents and we agreed that I would live with them until my daughter was born and I could find work that would allow me to support both of us. I applied for welfare and food stamps, but even after they were granted I was way too dependent on my parents for support. So, about 3 months after delivering Cassidy, I began looking for a job.

Within a few weeks I found a part time position with a church-supported assisted living facility. It seemed like a good solution to my situation. I would be working part time, 15 to 20 hours a week for \$9.00 per hour, and I could keep receiving welfare and food stamps. The facility even offered child care for its employees. The flexible, part time schedule would give me the opportunity to be with my daughter, and I could even check on her when I was at work. I planned to stay with my parents for another 6 months or so and calculated that by then I would have saved enough to move into a small apartment near my work.

MONDAY & TUESDAY

Several of us had been hired at the same time, and we were in training together for the first two days. At the end of the second day a man named Bradley Wilkes showed up to talk with the new employees. He said he was the Shop Steward of Local 101 of the International Brotherhood of Care Givers, the union that had organized our assisted living facility 4 years earlier. He explained that it takes resources for the union to be an effective advocate for us and to be able to influence the political climate for the issues that matter to working families. He told us that dues and initiation fees are each member's contribution to the union to ensure that the IBCG has the strength and resources it needs to be effective. The dues money the union collects covers the expenses it takes to negotiate union contracts, represent members on the job, and support the union in its efforts to organize other companies and facilities. Members of The International Brotherhood of Care Givers, Local 101, pay a \$100.00 initiation fee upon joining the union, and then pay monthly dues based on how much they earn each month (excluding overtime). He had a chart that showed the amount of dues related to monthly gross pay, and for me it worked out to be \$35.08 per month.

I was shocked. It looked like someone could just grab a good chunk of my pay, and I had nothing to say about it. In my first month the union was planning to take \$135.08 of my money without any consideration of how much I needed to live. If I was lucky enough to work a full 20 hours each week, they would be taking more than 17% of my

pay in the first month and then more than 4½ % of my pay every month after that. And that didn't even include the taxes that would also be taken out of every pay check. What would I get in return? I didn't need the union as another dependent, and I planned to tell my supervisor about my decision in the morning.

WEDNESDAY

As soon as I got to work I met with my supervisor, Betty Gibson. I told her that I had decided not to join the union so I wouldn't be signing paperwork to let them take dues and initiation fees out of my checks. She said that I might want to reconsider. She agreed that I had the right to choose not to join the IBCG because we lived in a right-to-work state, but she told me that if I didn't join I should expect the union to be unhappy and try to pressure me to change my mind. She said that only a small percentage of employees at our facility had refused to join the union, and they were frequently the target of pressure tactics. They were called "scabs" by the other employees and were often shunned at lunch and other group gatherings. That didn't sound too friendly to me, but I had my baby Cassidy to think of, and my struggle to achieve independence, so I decided to stick to my original decision. I told Betty to "count me out of union membership" and to tell the union to leave my paychecks alone.

THURSDAY

As I came to work on Thursday, my fourth day on the job, Bradley Wilkes was waiting for me at the front door of the facility. He blocked my way and kept me from entering. He was about my size, I could look him in the eye without tilting my head, and he put his hand on my shoulder as I approached him. "Keep your hands off me", I said as I brushed his hand off my shoulder. He backed off a few steps, folded his arms, and with a stern look he said, "I understand that you made a mistake in filling out your new employee paperwork. You failed to complete the form to join the union and authorize deduction of dues from your pay. Let's get things straight right now, or you can just turn around and head on home. Every employee here understands how important the union is to them and they all belong to Local 101—you will too." "That's funny", I said, "Betty Gibson told me that I don't have to join your union and that there are other employees here who have made that same choice. I don't want to be a member of Local 101, and I'm not going to let you take money from my paycheck that I need to feed my daughter." Then I brushed by him and went on in to work, leaving him standing on the front steps shouting so that everyone could hear, "This isn't over. We have ways to get you to change your mind."

FRIDAY

By Friday word had spread about my decision not to join the union and about my run in with Bradley Wilkes. The other new employees came to me to tell me that they had all decided to become members of the IBCG and tried to get me to change my mind. I

explained that I needed every dollar I was earning and just couldn't see the value of paying some union for the privilege of working.

I was assigned to the 8:00 AM to 12:30 PM shift and when I took my break Jenny Simms, my team leader, sat down with me for a cup of coffee. She told me that she had been working here for almost 14 years and could remember what it was like before the union. She said that during the 4 years that the union had been in the facility they had established a grievance procedure so that employees could have their complaints heard by management. There had been two \$.50 per hour wage increases due to the union negotiations, and some benefits had been improved. Even though all the employees benefited from the changes, whether they belonged to the union or not, she said that it just wasn't fair for some not to be paying union dues and still getting the benefits. She strongly suggested that I join the IBCG and pay the dues. I told her that I was struggling to survive, living with my parents, and trying to support my 3-month old daughter. I just didn't see how I could afford to give the union 4 ½ % of my pay off the top and still make ends meet. As the break ended she said, "Just think about it and I'm sure you will see that it's in your best interests to become a union member like the rest of us."

When I got back to my work station I found that my paper work was all messed up. Some of the pages of my patient reports were missing and others were out of order. No one would look me in the eye so I figured this was part of the pressure my supervisor had warned me about. It took me almost half an hour to get things straightened out and by then my shift was ending. When I went to the change room to get my jacket and purse I saw that someone had written "SCAB" on the front of my locker in black marker. I was disturbed and nervous as I walked down to the bus stop for the ride back home.

THE WEEKEND

At breakfast on Saturday morning I told my dad all that had been happening. He has been a union member all of his working life and he understands about unions. He told me that he was sorry about the way I was being treated at work, but that he understood the union's position and the point of view of the other employees. For a union to be successful it needed the financial and active support of all of the employees. If a group of employees refused to join the union then it weakened the strength of the rest of the employees and encouraged the company to push back against what the union was trying to do. He told me about how unions had pioneered medical benefits, paid vacations, and paid sick time. He pointed out that unions usually got employers to agree to wage increases that were larger than the employees might have received without the union. He also explained that the \$35.08 per month dues would become a smaller percentage of my pay as my wages increased. Finally he told me that Cassidy and I were welcome to live with him and Mom for as long as it took. He even encouraged me to go back to school to get my nursing degree. I wasn't convinced but he had given me a lot to think about and I spent much of the weekend considering what I should do.

MONDAY

Monday morning as I arrived at work Bradley Wilkes was waiting for me again. “I heard that you had some trouble on Friday”, he said, “That’s too bad. But it’s nothing compared to what we have in store for scabs who try to ride on the backs of their fellow workers without contributing their fair share. Jenny gave you some good advice, as well as a gentle warning”, he said, “If you want to work here without having to look over your shoulder every minute of the day you better listen to what she told you.” When I got to my work station my patient cart was missing. I looked all over for it and asked the other employees, but no one seemed to know where it had gone. I finally found it in the second floor maintenance closet and it had a sign hanging on it that said “SCABS GET NO HELP”. I couldn’t hold back my tears—why am I being treated this way? It’s so unfair. I worked the rest of my shift without anyone speaking to me unless they absolutely had to, and at break time I sat at a table all by myself. Believe me it wasn’t a pleasant work day.

TUESDAY

This morning I arrived at work early and went straight to Betty Gibson’s office. I told her that I had reconsidered and had decided to join the union after all. She said it was for the best and she got the paperwork ready for me. I signed the authorization forms for the \$100 initiation fee and the union dues to be taken from my pay, and then I went down and clocked in to work. Word travels fast around here and within the first hour three people came by to tell me that I had made the right decision. I had no trouble with my supplies or reports and people smiled at me and said “hello” whenever I passed by. I’ve learned that in some situations “right-to-work state” status doesn’t really mean a thing.

I took my dad up on his offer and Cassidy and I are still living at home. I work as many hours at the assisted living facility as I can, and I enrolled in the local college working toward my LPN degree. I will do what I have to do for now to earn a living for my daughter and me but I’ve made up my mind that as soon as I can I will find a job in a non-union facility and never again work in a setting where I am forced to join a union. So much for my right to decide. What good is my state’s right-to-work law if I can be forced to join a union anyway?

**HOW HARD IT IS TO REMOVE
A UNION ONCE IT BECOMES
YOUR EXCLUSIVE BARGAINING AGENT**

As you read the following story here are
a few questions you might want to ask yourself:

1. What can you do when you and your fellow employees feel that the company cares more about you than the union does?
2. Do you know what it takes to decertify a union?
3. Are you aware of the lengths to which a union will go to continue representing you?
4. Why do you think unions support the idea of “automatic recognition” if more than 50% of the employees sign authorization cards?
5. Why do you think unions reject the idea of “automatic decertification” if more than 50% of the employees sign cards asking to decertify the union?

**HOW HARD IT IS TO REMOVE
A UNION ONCE IT BECOMES
YOUR EXCLUSIVE BARGAINING AGENT**

JOE WORTMAN'S STORY

Let me introduce myself, my name is Joe Wortman. I have a wife and two sons, ages 15 and 12. I grew up in a working class family—my dad was a mechanic and my mom worked as a checkout clerk in a large local grocery store.

Since I graduated from high school I have only worked for two companies, and I have been with my present employer for 14 years. When I began working for AgPacking Company there were 25 employees working on the packing line, filling agricultural chemical packages for the retail market. AgPacking had four other plants in the South, all about the same size as ours.

After about 5 years of fairly stable business the company began to lose money and started to layoff some of the newer workers. They put in new equipment, changed the plant layout, and reduced the number of employees from 25 to 12.

Shortly after the changes had been made a union organizer from the Amalgamated Packers Union knocked on my door at home. I invited him in and he explained the benefits of authorizing his union to represent the workers at our plant. He told me that the Amalgamated Packers Union was also organizing representation drives at the other AgPacking plants and that we would all be better off if his union represented us. He knew about the layoffs and explained how a seniority clause in a collective bargaining agreement could protect the senior employees from layoff. When I told him that the company had only laid off the most recently hired employees, he pointed out that without a union they could layoff whoever they wanted. The fact that they had laid off the newer employees this time didn't mean that they would always follow that policy.

He talked about grievance procedures and how the union would go to bat for any employee who had been treated unfairly. He explained that having 12 of us speaking to the company with one voice was a more powerful position than each of us speaking alone. Finally he showed me the benefits and wage increases his union had been able to negotiate in other plants around the country in the previous 3 years. It was pretty impressive and when he had finished I agreed to sign the authorization card. I was particularly interested the security a seniority provision would bring us and felt that if we had a union representing us it would put a stop to further employee layoffs.

I guess a lot of the employees felt the same way I did, he was a pretty good salesman, and most of us signed authorization cards. Eventually there was an election held by the National Labor Relations Board and the vote was 10 for the union and 2 against. It took

9 months for the union and the company to reach agreement on our first 2-year contract, but in the end we did get a seniority provision that said in case of layoffs it was last in—first out. We also got a \$.14 per hour wage increase and an increase in company paid life insurance.

Things went along pretty well for the next 4 or 5 years. Business held steady and the workforce leveled off at 15 employees. Every 2 years the union negotiated a new agreement and we felt that life was OK. Then, a year and half ago, AgPacking sold out to Diamond Agriculture Products. Diamond didn't make too many changes. The sign in front of the plant changed and we went from being paid by check every two weeks to having our pay direct deposited in our bank accounts. Diamond also changed insurance carriers, but our benefits remained the same. The company did introduce some new packaging and marketing ideas, and my wife told me that her store was now carrying Diamond Agriculture products.

We got a new plant manager and he started holding regular meetings with the 15 packing employees every month and kept us advised of changes in the company and in our plant that were being planned for the future. In our last meeting he announced a change in the organization structure. Our supervisor was being moved to a new position called Organization Planning Manager. He went on to say that we were doing a great job and that he expected us to continue to do so. He told us that in the future we would be operating without direct supervision, managing our selves on a daily basis, and reporting directly to him. We were a bit shocked at the change and didn't know how it would work, but we agreed to do what he had suggested. After all, we were all fairly senior employees and knew what we had to do to get the work done. Our supervisor had been mainly occupied doing the paper work required by the company and we took care of ourselves most of the time anyway.

The next day our union representative showed up at the plant, called us all together and began by saying, "This just ain't gonna work. We have a contract that separates supervisory employees from production employees for a reason. You aren't responsible for making management decisions, and no organizational changes on some piece of paper from headquarters is gonna change that. Your responsibility is to do what you're told and if there is no supervisor to tell you what to do then you will just do nothing." That didn't make any sense to us; we had been doing our jobs for years without anyone having to tell us what to do. Why should that change just because the supervisor's title changed? We tried to explain this to our union representative, but he got angry and said we had been brainwashed by the company. "If you can't see why this is wrong, and has to be stopped, then you're all pretty stupid," he told us. "Next thing you know they'll have you filling out the supervisor's paperwork and making other management-type decisions." (We didn't have the nerve to tell him that we had been doing this for more than a year). "The union stands squarely against this and I'm going to file a grievance for 'the good of the union' to put a stop to it." With that he left for the Plant Manager's office and we could hear him hollering in there for another half hour. Finally he left the plant without saying another word to anyone.

Eventually we got around the problem by establishing a packaging team and selecting one of our members to be the “working team leader”. We rotated the team leader’s position every three months and gradually found a rhythm that kept things moving along pretty well. We learned how to stagger our breaks so that we all got time away from the line without interrupting production. We agreed among ourselves to jump in to help each other when one of us got behind or was faced with some new problem to solve. We figured out how to distribute the available overtime so that everyone got a fair share. We even managed to schedule our own vacation time so that we could get off when it was important to us—a problem that had caused a lot of trouble and arguments in the past. The union representative kept mumbling about how it wasn’t right and he said there would be hell to pay at the next contract negotiation, but he never filed a grievance. I guess he thought it would be a waste of time since there were only 15 of us in the unit. That was OK with us; we were just glad that he stayed out of the plant.

Things continued that way until about a month ago. A new face showed up at one of our weekly meetings with the Plant Manager. This was a guy from corporate headquarters who told us he was the Corporate Salaried Human Resources Manager. Then, to our utter surprise, he announced that the company was planning to convert all seven of the plants in our Agriculture Products Packaging Division to what he called an “all salaried work status”. He explained that we would all become salaried non-exempt employees and would be paid like the other salaried employees. We would have the same benefits as the other salaried employees, be paid overtime when we worked more than 40 hours in a week, and even be included in the annual bonus plan that other salaried employees enjoyed. We just sat there looking around at each other, too stunned to speak.

The next thing the HR Manager said was, “I hope you will all be interested in this idea. We believe that it will benefit all of us. But there is a problem. We plan to change your job duties to include a number of duties that have been specific to supervision in the past. The current contract gives us the right to change job responsibilities, but your union won’t like this one bit and will try to prevent us from moving forward with our plan. We will probably have to wait until the current contract expires next year to fight this issue out at the bargaining table, but we wanted to tell you up front what our plans will be.

When the union representative found out what had happened at the meeting I thought he would have a heart attack. He stormed into the plant and demanded a meeting with all of the union employees. The plant manager told him to hold it outside of working hours and off the plant premises. The union didn’t like that but they scheduled a meeting on a Sunday afternoon at a local motel. 12 employees showed up and the union representative spent an hour telling us why and how the union would keep the company from ever implementing its “all salaried work status” plan. He said, “If they think they can turn you guys into salaried employees they haven’t begun to understand the power of the Amalgamated Packers Union. They are in for a negotiation they will never forget!

For the next 8 months things stayed pretty much the same. We continued to work in our teams and do what we had been doing. Periodically the plant manager would remind us of the company's plan and how Diamond would be approaching the next negotiations. The union kept telling us it would never happen. When the day arrived to begin negotiations, the union representative lead a bargaining team made up of him and two of the employees from our plant. The company kicked off negotiations by explaining the concept of the "all salaried work status", and the union representative said, "Never gonna happen". Five weeks later, with no change in the company's position, we held a meeting and the union representative told us that in four days, when the contract expired, we would be going on strike. He told us that he was required to take a vote about striking but that we were all going to vote for a strike if the company persisted in demanding an all salaried work force. He told us that a unanimous vote to strike would send a message to the company that we wouldn't stand for what they wanted, and they would then withdraw their demand and "Get reasonable" as he put it. We argued that what the company wanted to do wasn't a bad idea but he wouldn't even listen. In the end we did what he told us to do and voted to strike. Four days later we were on the street carrying picket signs and not getting paid.

After 3 weeks of striking, with no change in the company's position, we held another meeting with the union representative. This time we told him that we wanted to end the strike, accept the all salaried work status concept, and go back to work. He refused. He told us that any member who crossed the picket line and went back to work would be fined by the union and could expect lots of other "actions" to be taken against him. It looked like we were caught between the union and the company in this mess and we didn't know what to do. I finally had had enough and I called the local office of the National Labor Relations Board to ask for help.

When I met with the Board Agent he told me that as long as we were members of the Amalgamated Packers Union we were bound by their rules and bylaws and couldn't just abandon the strike and go back to work. He explained the concept of decertification and the election that could be held if enough of the members wanted to decertify the union. He gave me a copy of a petition to get signatures and told me that he had done all he could do for the moment.

It took me exactly two days to get all 15 employees to sign a petition asking the NLRB to hold a decertification election. As soon as the union got wind of what we were doing they called off the strike and we went back to work. They went back to the bargaining table intending to negotiate a contract that included the "all salaried work status", but the company, having learned about the decertification petition, refused to meet with them. The Plant Manager said, "It looks to us like our employees no longer want to be represented by you so, until this decertification thing is over, we won't recognize you or bargain with you. The union was fit to be tied and began to campaign against decertification. They met with us, held parties to show us what a great organization the Amalgamated Packers Union was, trotted out all of the old arguments about why we should want to be union members, and even tried low key threats to get us to vote for the union again.

The day of the election 13 employees voted to decertify and 2 voted to keep the union. Even though it was a secret ballot election, I kind of knew who the 2 were who voted for the union. When I asked them why they had done so, they told me that the union had offered each of them \$250 to vote to keep the union in the plant. Later it came out that a number of the other employees had received the same offer, and had told the union to get stuffed. It seemed pretty clear to us that the Company cared more about our welfare and the business than the union did. We all wondered what would have happened if the company had tried to buy votes the way the union did.

Today we are an all salaried work force. We have gone through two growth periods and have 32 employees working in the plant. Not a day goes by that we don't thank our lucky stars that we were able to get rid of the union. I can promise you that if any union comes knocking on our door trying to get us to share in the "wonderful benefits of being union members" we'll send them packing in a big hurry.

HOW A UNION DESTROYED MY JOB AND CAUSED MY PLANT TO CLOSE

As you read the following story here are a few questions you might want to ask yourself:

1. Can you really trust a union Business Agent to negotiate a contract with your interests in mind?
2. Who do you think really controls what the union demands during a negotiation?
3. Why do you think a union would refuse to tell its members what goes on in negotiations?
4. Why would a union refuse to believe that a company might close a particular location?
5. When a plant closes because of negotiations or a strike, do you think the union business agent loses his job?
6. Have you or a member of your family ever experienced a strike and were you happy with the outcome?

**HOW A UNION DESTROYED MY JOB
AND CAUSED MY PLANT TO CLOSE**

AN ACCOUNT OF TIM ANDERSON'S EXPERIENCES

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November & December – The Conclusion

INTRODUCTION

What follows is the story of how a union forced the closing of a major manufacturing plant with the resulting loss of more than 250 jobs. Throughout the planning, conduct, and conclusion of union contract negotiations the union used threats and outright lies to conceal the true facts of the company's financial situation. It created fear and anger in the employees and incited the employees to refuse to listen to the company and to reject the contract offer. Finally the union encouraged the employees to strike in spite of the imminent danger of the plant closing. The union representative did all this to further the union's objectives, ignoring what would have been in the best interests of the membership. The company was not blameless. It could have made direct contact with the employees to try and explain the situation and give them the information they needed to make informed decisions. But like many companies today, it failed to do so out of fear of violating the federal laws that control negotiations between unions and companies. The end result was disastrous for the employees and their families.

Whenever employees put their futures into the hands of a union, they must stay involved and informed if they want to make sure that they don't suffer out of ignorance and blind loyalty to the union they have joined. In this case, almost 300 jobs were lost, a plant that had existed for more than 30 years was closed, and hundreds of families are suffering the consequences of deceitful union leadership. Is it any wonder that union membership in the US private sector has declined each year since 1983, the first year for which records were kept?

BACKGROUND INFORMATION

THAT DAMN UNION KILLED MY JOB! My name is Tim Anderson and last year I was a senior assembler at Appliance Parts, Inc., a supplier of parts to large appliance manufacturers. I was making \$29.63 an hour base rate, with a full benefits package including 5 weeks of paid vacation and 9 paid sick days each year. Today I work as a temporary employee stocking shelves at a local big box toy store. I make \$8.35 an hour and have no benefits beyond my COBRA extension. I blame my union, the International Brotherhood of Appliance Workers, for my job situation. They kept assuring us that the company was bluffing when it said it would close the plant if the union didn't accept their final offer. Guess what? The union killed my job and now my family is suffering for it.

I went to work at Appliance Parts, Inc. the summer I graduated from high school. The company had a collective bargaining agreement with the International Brotherhood of Appliance Workers (IBAW) that required all production and maintenance employees to join the union as a condition of employment; so I joined during my first week. The next twenty seven years went by in a heartbeat. I got married, bought a house in the suburbs and put some money in the bank. We were doing well, and we were very happy.

When I first went to work our plant was manufacturing parts for national brand refrigerators and stoves. There were about 150 hourly workers and about 30 salaried employees. In negotiations every three years we got wage increases and benefits improvements. I started on the third shift and after about six years I made my way to first shift. I went through a number of jobs and finally made it to Senior Assembler, the highest skilled production position in the plant. Only maintenance workers earned a higher hourly rate than I did.

Over time the business improved and the company added some other appliance parts to the product line. One year we had an extension built on the plant and began to make parts for washers and dryers. The workforce grew larger over the years, our union contracts stretched out to 4 year agreements, and things seemed to be going OK. Overtime increased and the company added a fourth shift. The new shift worked 12 hours on Saturday and Sunday, and if there was overtime available during the week that none of the senior employees wanted, it went to the weekend shift employees.

ECONOMIC HARD TIMES WERE THE START OF IT ALL

At negotiations five years ago the wage increases were smaller and some of the less senior employees were on layoff, but we had experienced ups and down in the business before and we figured things would improve over time. Then the company began to lose money. Orders declined and we went out of the refrigerator parts business—too much low cost competition from over seas they said. The company tried assembling some smaller appliances in house, like microwave ovens and coffee makers, but none of them helped the business much. More junior employees got laid off. By the time negotiations rolled around in 2008 we had 250 hourly employees, all union members, and 55 salaried employees. We wondered what would happen in negotiations, but the plant had been here for more than thirty years and it always managed to pull through.

FEBRUARY—THE COMPANY EXPLAINS THE PROBLEM

Our negotiations usually begin in July, and by the end of September we would have a new agreement that would go into effect October first. But this time In February the company sent a letter to the union saying that because of the economy and the financial losses the company was experiencing they wanted to begin negotiations in April. That took the union by surprise and they called a special membership meeting to discuss the letter and to decide what to do.

At the meeting the union Business Agent, Rob Crenshaw, told us that in the past the company would bring a negotiating team to the table made up of several supervisors, our Plant Manager, and a Human Resources representative from headquarters to be their chief spokesman. What we usually do is to set up a team of employees and local union officers, with the Business Agent of IBAW as our chief spokesman. When we got the company's letter we hadn't even thought about who would be on our negotiating

team much less what we would ask for. Rob told us that the company's letter was just a pressure tactic to scare us into accepting a new contract that wasn't as good as the ones we had negotiated in past years. He said that the company was setting us up to take a fall. We decided that there was enough time between February and April to get ready so the union told the company we would begin bargaining after April 15th.

APRIL—NEGOTIATIONS BEGIN

April 17th was set as the date of our first bargaining session. Betty Macready, because of her more than 20 years of employment in the plant, was asked to serve as a member of our committee, and she said "Yes". Betty is a long time friend of mine and a good, fair minded, person—a great choice to be on the committee. As it turned out, if it hadn't been for Betty I still would not understand what happened in negotiations, and the changes that took place in my life! The IBAW Business Agent who served as our chief spokesman was new to us and kind of young, but he had bargained before and he told us that our demands should include everything we ever wanted to get. He said since you can't get what you don't ask for we should go for broke. Our committee followed his advice and created a "wish list" that even included enlarging and remodeling the bathrooms. Some of the things we were asking for made me a little uncomfortable, like triple pay for all overtime, especially with the way the business seemed to be going down, but what the heck.

On April 17th our committee met with the company for the first bargaining session. Betty told me later that the first surprise came when the union committee walked into the room. Instead of a normal company bargaining committee, the only two company people there were the Plant Manager and the Human Resources representative from headquarters. They began by explaining that this would be their full bargaining committee and that they did not expect to bring any other management people to the table. They explained this was because the issues that had to be resolved in negotiations were beyond the scope of the supervisors. Then they spent the next two hours telling the committee about all of the company's financial woes going as far back as four years.

Betty told me that the company showed sales figures and profit and loss numbers. They explained how material costs had been rising while sales of our products had been falling. They gave the committee information about our competitors, including over seas competitors, and how the company had been trying to reduce costs to stay in business. They even distributed a list of companies like ours that had either closed plants or gone out of business altogether in the last 5 years. They showed wage and benefits surveys that included companies from all over the country that we compete with as well as those in other industries in the local area. These surveys showed that our plant was out in front in terms of our wages and benefits. The final blow was that the company was making a number of cost reduction proposals that were designed to keep us solvent and in business, and they distributed the company's proposals for negotiations.

The plant manager apparently closed the presentation by saying, "You will not be happy with the company's proposals, but lowering costs, including reducing labor costs, is the only way that the company can continue to compete in the marketplace." Betty said he practically begged them to review the proposals carefully and try to find the ones that would hurt the employees the least. He said that the company didn't expect to get everything they were asking for but they had listed everything they could think of to reduce costs. And he said, "I hope the union will join with the company in coming up with a new agreement that will make us more competitive and keep as many people working as possible."

Betty showed me the documents that the company had used and she said that when they took a break to consider all that they had been told, most of them were in shock. They wondered why the company had kept so much of this information until negotiations instead of meeting with the all of the employees over the past 5 years to let us know what was happening in our industry. She said a number of the committee members felt the same way, but Rob Crenshaw told them it was all a "bunch of bull", and he said that anyone could construct charts and tables that showed anything they wanted. He told them that he could show them just as many companies that paid better wages and provided better benefits than Appliance Parts did. He cautioned them not to be influenced by the company's "tricks" to get the members to settle for less than they deserved. Rob said that if the company wanted to reduce costs it should cut the salaries of management people and reduce their benefits but union wasn't in negotiations to go backward and he wasn't about to agree to anything that wasn't an increase or an improvement in what we already had.

Betty also told me that Rob instructed the committee to keep the information that the company had given them secret because "It was just designed to scare the folks in the plant. The union will decided what to tell our members, and when we'll tell them", Rob said, "and until we do, nothing goes out on the floor from this meeting! It's hard enough to control 250 union members when they don't know what's going on; it would be impossible if they heard this stuff."

When I told my wife what Betty had said, she was furious! "You are all adults, responsible for families and all kinds of bills, how can the union intentionally keep you in the dark? Do they think you're a bunch of children to be lead around by the noses? The members should demand a full account of what goes on in each of those meetings."

Betty said that she had to tell someone what was going on in the negotiations, but she swore me to secrecy saying, "don't you dare say anything to anyone else or you'll get me in big trouble." She said that it took the committee two days to go through all of the company's proposals and they realized that what the company had done was to propose every cost saving measure they could think of. Some of their proposals were fairly small, like changing from paying us every week with paper checks to paying us every two weeks by direct deposit. Some were bigger, like proposing that four of our

plant holidays be changed to individual employee holidays so that each employee could select when he took those days off. In that way, Betty pointed out, we would still get 9 holidays but the plant would only have to close for 5 of them. But some of their demands were really big and nasty—like proposing that we would only get overtime pay at time and one-half and then only if we had already worked 40 straight time hours in the week. One that made everyone angry involved changing the working schedule. The company proposed changing our shift schedule to 12-hour days and working us three days on and two days off. That would require that every employee work a 12-hour shift and that we would all be scheduled to work on weekends from time to time.

The union committee followed Rob's instructions and kept quiet about what had happened at the first meeting. Even though employees were asking questions, all the committee members would say was that the first session was just the kickoff of bargaining and nothing would really happen until the next meetings were held.

APRIL—THE REAL BARGAINING STARTS

At the next negotiating meeting, on April 22nd our IBAW business Agent told the committee that he would go ahead and present the union's proposals just as they had originally been drafted. Betty told me she asked Rob how they were going to respond to the company's proposals he said, "Wait and see". The company representatives listened while the Rob explained all the things we wanted improved and then they asked questions to make sure they understood. Then Rob said, "We refuse to consider any of the proposals you made. You can't possibly be serious! Do you think we are stupid? The IBAW has represented the employees in this plant for over 30 years and has fought hard for every penny of wages and every benefit in the contract. There is no way that we will ever agree to reduce or eliminate anything we have won. We are here to negotiate improvements, not 'take-aways'. When you have something to propose that meets our improvement objectives we will listen. Until then we consider your proposals null and void and we won't even discuss them."

Betty told me the whole committee was shocked and surprised. They even questioned whether his comments were legal. Wasn't the union required by law to bargain in good faith? But Rob had said it and it was too late for the committee to undo what he had said.

Betty said that after Rob had stopped his tirade the company's HR representative paused to catch his breath. Then he said, "As representatives of the employees in this plant you have a responsibility to work to get the best offer you can for the new agreement. We understand that and we want to do the same. But don't be misled by the process of negotiations. This plant is in serious financial trouble. It is losing money at an alarming rate and the company will no longer continue to operate that way. When negotiations are over and you have the company's best, last and final offer there will be changes in the agreement that reduce labor costs to make your plant competitive again. If we sat here at this table and negotiated contract improvements, we would be cheating

you and lying to you about the future. We can't increase costs and stay in business, so a contract that increases labor costs would result in the closing of this plant."

He continued, "The Plant Manager told you at our last meeting that we don't expect to get all of the reductions we first proposed. He was being up front with you. But we want your help to determine which of the cost savings are the easiest for the employees to accept, which ones will cause the least pain. If you refuse to accept the present situation, and refuse to help us decide what to put in our final offer, you will be forcing the company to make those choices for you. I know that you won't be very happy with the final result if you help us, but I can guarantee you that you will like it a lot less if you make us decide what costs to reduce. And, in my opinion, if you force us to make the choices, you will not be doing the best you can for your fellow employees."

Rob's reply was, "I've had about all the B--- S--- I can take for one day. Our next meetings are scheduled for April 29th and 30th. We'll be ready to hear your response to our proposals at that time, but don't think we are stupid enough to consider the crap you put on the table so far, it just ain't going to happen." With that, he led the union committee out of the room.

BACK AT THE PLANT

When Betty told me what had happened I urged her to spread the word in the plant. I begged her to tell the other employees what was happening at the negotiating table so that they would understand how these negotiations were so different from all the others and they could be thinking about what to do. But Betty said the committee was operating under a union imposed "gag order". The Business Agent had told all of them that no one better say one word about what was going on at the table, and that the union could fine or punish anyone who disobeyed his orders. This was the first time I had ever heard a union threaten punishment for someone who told the members the whole truth and I began to wonder what else the union had been keeping us in the dark about.

Despite the "gag order" within three days of the meeting a copy of the company's proposals was circulating in the plant. We never found out who leaked it, but the employees were really mad. They didn't have the chance to hear what the company had told our committee they just saw all of the things that the company wanted to take away. I was angry too, and I had the advantage of Betty explaining why the company was making cost reduction proposals.

All over the plant small groups of employees were putting their heads together and everywhere I went fellow workers were saying, "NO WAY! We aren't about to give back all this stuff". I tried to get Betty to explain to them what the company had said, but she was afraid to cross the Business Agent. Why didn't the company just explain the situation to all of us? Most of the anger seemed to focus on the shift change proposal. No one could accept that the company wanted us to work 12-hour shifts and many

weekend days when most of us were used to 8-hours shifts with every weekend off. I heard fellow employees say, "The 12-hour shift is anti-family."

Our bargaining committee met with the company again on the 29th and 30th, but nothing changed. Betty said she tried to get Rob to let them discuss what changes they could agree to, but he refused. He kept telling them that if they stood firm in their refusal to "go backward" as he called it, the company would eventually get the message and get serious about negotiating a new agreement with improvements.

Every time Betty talked to me I went home and told my wife what was happening. At first she just got mad and hounded me to tell someone at work what was going on. Then she got quiet and when I asked her what was the matter she said she was becoming afraid of what would happen. What if the plant is closed? How would we make the house payments or educate the kids? I told her that the union would never let that happen. They had lots of experience with negotiations and in the end things would work out for the best. But I was kind of worried and confused myself.

MAY—THE NEXT ROUND OF NEGOTIATIONS

The company and the union committees met a number of times in May to try to break the deadlock. Betty told me that the company finally began to modify and withdraw some of its proposals, but the shift schedule and the overtime pay stayed the same. Betty said each time the company reduced its demands, or dropped one of its proposals Rob would say, "See, I told you we just had to stand firm. Pretty soon they will get rid of all that reduction crap and begin to agree to some of our increase demands." By the end of May we were still far apart. The company had not agreed to anything the union had proposed and the union hadn't agreed to any of the company's proposals.

JUNE—THE COMPANY DIGS IN ITS HEELS

According to Betty, at the beginning of June the company's HR representative told the union committee, "I want to try once more to get you to understand what is happening in these negotiations. Your refusal to help us find cost reductions that the employees can live with has already resulted in the withdrawal of some of our proposals. Those items will not come back on the table. You are forcing us to make decisions without your input and we are gradually eliminating ways of reducing labor costs. If this continues it will result in our best, last and final offer containing the cost reductions that are left. Once again I have to tell you that we will not make an offer to you that increases costs. Don't look for wage increases, benefits improvements or new contract provisions that raise our cost of doing business. We won't let that happen, for your sakes and for ours." The Business Agent replied, "This is B--- S---. We didn't believe it the first time and we don't believe it now. Until you get serious about our proposals we have nothing to discuss."

JULY—THE UNION IS GOING TO KILL OUR JOBS

Our Business Agent took some of his vacation during the last two weeks of June, and the company had a plant vacation shut down scheduled during the first two weeks of July. By the time the union committee met with the company negotiating team again it was late in July and there had been practically no progress since bargaining began in April. At the July bargaining session the Plant Manager made an announcement. "Business has continued to drop," he said, "and the corporation is becoming discouraged with the lack of progress in these negotiations. Consequently they have decided to move the production of stove parts to a plant in South Carolina. This will mean the layoff of about 45 of our current employees. The layoffs will begin next week and the production equipment that stove parts equipment will be dismantled and removed from the plant by the end of August. Frankly, I don't think it will come back to this plant even if we are successful in reducing out operating costs; there just isn't enough demand to justify producing stove parts in two different manufacturing plants and the company won't pay to move the equipment twice.

After a minute or two of silence Rob said, "You can't threaten us or panic us into agreeing to what you want. We won't accept any reductions and that's the end of it. I'm a busy man with lots of other responsibilities. I have another set of negotiations about to begin at the aluminum siding factory down town. We are just wasting our time with you so, until you are ready to begin agreeing to what we have demanded, there is no point in continuing these meetings."

Betty told me that the committee finally convinced Rob that they had to tell the members what was going on. She said they told him, "The removal of production equipment will scare the hell out of people. We have to tell them something." So the union sent a letter to all the members telling them that the company was using the pressure tactic of temporarily removing the stove parts manufacturing equipment from the plant and that this would result in some temporary layoffs. Betty was furious. I had never seen her so angry. She said that the union was deliberately lying to our members in order to keep them in line and she just wasn't going to stand for it any more.

When we got the letter at home and I told my wife what Betty had said, she was very confused. She wondered why the union would tell us things if they weren't true and she said that now we didn't know if we should believe the company, Betty, the union, or no one at all. But what could I do? I had been a member of the IBAW for more than 20 years, and we had benefited from negotiations in the past! I decided to keep my head down and see how things went. I just couldn't believe that the union wouldn't find a way to solve the problem and get us some kind of new agreement.

AUGUST—EMPLOYEE UNREST INCREASES

Over the next few weeks no more negotiating sessions took place. By the end of august the layoffs we had been warned about occurred and the company had removed

the equipment we used to make stove parts. The employees were asking a lot of questions. They were getting nervous about the lack of progress in negotiations, and the layoffs and equipment removal had worried us all. At this point the union finally called a membership meeting to discuss what was happening.

The meeting was conducted by Rob Crenshaw, our IBAW Business Agent. He told us that he had seen this happen before and that our best weapon was solidarity. “Sticking together, even if it hurts some of you in the short run, if for the common good”, he said. He told us that no company really expected its employees to participate in “concession bargaining” and that these were just the typical scare tactics that companies use to force employees to take reductions in wages and benefits. He said, “How many of you want to work 12-hour shifts?” Heck, even the guys on the 12-hour weekend shift didn’t want to work it. Then he said, “How many of you want to give back your overtime pay, or reduce your wages?” No one stood up. Finally he said, “OK then, what are you worried about? I’ve done this before and if we hang tough we can force the company to come around.”

One of the members said, “But you’ve been bargaining for four and one-half months. What has been agreed to so far?” And Rob said, “Not one damn thing--yet. The company refuses to consider our demands and we sure won’t agree to any of their reductions. However, they have withdrawn some of their original cost reduction proposals and modified some of the others, so we are getting to them. But they haven’t agreed to one single improvement.” A different member asked, “This is August; what happens if things are still deadlocked at the end of September when the current contract expires?”, and the Business Agent said, “Don’t worry, they won’t be. But if the company is so bull headed that it won’t give in we may have to strike to force them to listen to us.”

The hall got real quiet at that point. It was the first time anyone had used the “strike” word. In all of my years with the company there had never been a strike. Then there were a dozen questions about how a strike works, and what we were supposed to do during a strike, and what strike benefits we could expect from the union. Again Rob spoke, “It’s too early to discuss that stuff. If your union decides that a strike is necessary I’ll explain all about it. The IBAW has lots of experience with strikes and we know how to win them. If a strike is necessary, your union will take care of you.” Somehow I wasn’t too reassured. I already knew that the union had lied to us, but we still had a month left to reach some kind of agreement, and I still believed that the union would do right by us.

SEPTEMBER—NEGOTIATIONS REACH THE CRITICAL POINT

At the beginning of September the company called for a negotiating meeting. Rob told our committee that things were beginning to break loose and they should not be surprised to see the company make a proposal that included some wage and benefits improvements. Betty said they were all hopeful when they met on September 4th. She told me later that the company began by restating its commitment to negotiating a contract that would return the plant to profitability. The HR representative went on to

say that the union, by refusing to discuss the need for cost reductions, was forcing the company to select the cost saving measures that would appear in the final offer. He told the union committee that the offer the company was about to make wasn't its best, last, and final offer, but that it was close. He then explained the terms of the company's latest offer. It included the new 12-hour shift schedule, the change in over time and overtime pay, the pay by direct deposit ever two weeks, and the change in holidays. There were some other cost saving proposals that had been presented earlier in the negotiations, but by the time the company got to that point, Betty said the Rob was on his feet and headed for the door.

He turned and said to the company, "This tears it. You obviously want a strike, and by god you're going to get one. We'll bring this company to its knees. No one forces the International Brotherhood of Appliance Workers to agree to concessions and I won't be the first to take a concession contract to my bosses." Betty said the rest of the committee followed him out the door, but that they stood round in the parking lot trying to decide what to do while Rob talked on the phone with his boss at Union Headquarters. When he hung up he told them to call a membership meeting for Tuesday, September 15th because that was the first date he had open. Betty said she tried to tell him 11 days was too long to wait to tell the members what had happened, but he said that he was a busy man and they would just have to wait until he was available.

The membership meeting on September 15th began with a noisy, angry mob demanding to know what was going on. Rob accused the company of refusing to bargain in good faith and said they were trying to force the membership to give up everything that the union had won for them in the past 30 years. A member in the back of the hall shouted, "What about the plant closing?" Rob said, "That's all a bunch of B--- S---! This plant was here before I was born and it will be here when my kids come looking for work. The company says it's losing money, that's a load of crap too. I've looked at their corporate profits for the last few years and they've made money every year." Another member asked, "But is our plant making money?" Again Rob answered, "It doesn't make any difference, the corporation is making money. Some years one plant is more profitable and some years it's another plant. Not every plant is going to make money every year."

At this point Betty stood up and said, "The company has been telling us since the first day of negotiations that our plant has been losing money for the past 5 years. They explained the effect that foreign competition has had on our business. They said that's why we no longer make refrigerator parts, or microwave ovens or coffee makers or any of the other small appliances we've tried. According to the Plant Manager, our losing money is why the stove parts machinery was removed and relocated to South Carolina; and that's why some of you are on layoff right now. He said that this plant can't continue to lose money and remain open. They have told us over and over again that if we don't agree to reduce costs, the plant has no future."

A different member said, "If that's true why haven't we heard about it before this? Why did we have to wait until 2 weeks before the contract expires to get this news?" Rob gave Betty one of those "if looks could kill" expressions' and said, "Because it's all a pack of lies. The company has been lying to us since day one and I wouldn't dignify their lies by bringing them back to you. You've seen temporary layoffs before, and the members on layoff always get called back to work. Temporarily removing equipment from the plant is a common tactic these days that companies use to force employees to surrender. Don't panic. We have these negotiations under control. We have the company right where we want them. They are scared enough to be making empty threats about closing the plant, and at the same time they are changing their proposals and withdrawing some of them. We have to hang together. If we send a united message to the company that there is no way we will accept a lower standard of living, they will have to back down."

A member in the front row said, "What are our options?" Rob replied, "Well, you can accept the company's lies and give up. You can agree to take pay cuts, get less premium for overtime, work 12-hour days and weekends, give back vacation and holidays, and agree to all the other financial reductions the company wants to force down your throats, or you can trust your union. I've been doing this for 9 years and I have seen this situation before. Once the company gets you running scared, you'll be under their heel for the rest of your life. Give in now and next they'll attack your seniority and your job security. Before they're done you'll be working in a sweat shop for 35 cents an hour and kissing the supervisor's a-- before you can go to the bathroom. Is that what you want?" Of course no one was ready to say yes to that. "Or," he went on, "You can do what we did in a company where I negotiated just last year. You can take a strike vote tonight! Give your committee the authority to call a strike. The company will know just how serious you are and when it comes time for them to make their dreaded 'best, last and final offer' they will be well aware that if it doesn't meet with your approval we can be outside the plant carrying picket signs the minute the current contract expires. That's what I recommend you do, but what do I know, I'm only the expert in negotiating new agreements."

There was a lot of rumbling in the room as small groups of people put their heads together and began to argue about what had been said. After about 5 minutes the Business Agent said, "Let's put this issue to bed. All in favor of giving your committee the right call a strike at midnight on September 30th stand up." I guessed about 75% of those present stood up. I noticed Betty wasn't one of them, and neither was I. Then he said, "All in favor of giving in to the company and letting them roll back your pay and benefits 30 years, stand up." Not surprisingly, nobody stood up for that one. But he wasn't through. Next he said, "I told you that your best chance of getting the contract you want is to stick together and show your union solidarity. I don't want to have to go to the company and say that 'most of the employees feel this way'. Let me tell them that the members are unanimous in their rejection of the company's take away proposals and that we demand a fair and equitable contract. Let's vote one more time. All those in favor of sending a united message to the company stand up and let me hear you shout out 'NO GIVEBACKS'." This time everyone was on their feet and shouting,

“NO GIVEBACKS, NO GIVEBACKS”. Even Betty and I were standing, although I wasn’t shouting. After all, who wanted to be seen sitting down and voting for the company’s take away proposals? As soon as things quieted down the Business Agent said “I’m proud to be a member of the IBAW, and I’m proud to be representing you in these negotiations. The beer’s on me!” With that the meeting adjourned and most of the members went to the bar for a cold one.

When I got home my wife wanted a complete description of what had gone on. I did my best to explain it to her and then said, “What was I supposed to do? I don’t want to be working 12-hour days or missing our family weekends together. And I sure wasn’t going to be the only guy in the room sitting down when everyone else was on their feet shouting their support for the union!” My wife said, “I understand honey, but I have a very bad feeling about this. If it weren’t for Betty you would be thinking that the company had no good reasons for proposing cost reductions. Maybe what the company is asking isn’t so bad, especially if it saves the plant.” “We’ll just have to wait and see what happens in the next two weeks” I said, “the company has always been fair and I can’t believe that they will close this plant.” “I pray you’re right,” she said, and with that I turned off the lights, rolled over and tried to fall asleep.

SEPTEMBER—THE LAST TWO WEEKS OF BARGAINING

The company and the union bargaining committees met again on September 17th and this time there was a government representative present. Betty later told me that the company had applied to the Federal Mediation and Conciliation Service for a federal mediator to assist in reaching agreement on a new contract. She said that the mediator met privately with each committee to find out what the issues were and where there might be movement in their positions. She said that the Business Agent told the mediator the union had no movement on concessions and would not agree to any of the company’s proposals. He also told the mediator that the membership had voted to strike if the company continued to insist on take-aways from the current agreement.

When the company and the union committees were finally face to face the mediator asked them if they would reconsider their positions in an effort to reach agreement by the expiration of the contract. The company said it would review its offer again and try to remove some of the cost saving demands, but that the new contract had to lower costs, including labor costs, or the plant could not survive. Betty told me that the HR Representative again went through the financial losses the plant had suffered over the last five years, and he explained all of the measures that the company had taken to try and improve profitability at the plant. He described the impact of increasing foreign competition and said that the company was firm in its decision to make the plant profitable and competitive once again or close it for good. She said he told the mediator that the company had explained this repeatedly to the union and had asked the union for help in saving the plant and all of the employees’ jobs but that, so far, the union had refused to even discuss cost saving issues.

The union Business Agent told the mediator that the membership was solid in its opposition to any cost reductions and would strike before agreeing to give up anything. He said the corporation was profitable and the employees had a right to wage and benefits improvements. He stated that the union would not help the company “climb to profitability on the backs of its employees”. He said that if the company continued to insist on take-aways it should just make its best, last and final offer and he would take it to the membership. He promised that the members would reject it and the strike would then begin at midnight on September 30th. Finally he reminded the company that the members had voted unanimously to strike before agreeing to any reductions in wages or benefits and that they were willing to “stay out as long as it took to force the company to deal fairly”.

Finally the mediator asked the parties how they wanted to proceed. Betty told me that the company said it could have its best, last and final offer ready to present by September 25th. The Business Agent said he would schedule a membership meeting for September 29th to present the company’s final offer to the members. That’s the way it stood at the end of the meeting.

The committees met again on September 25th, with the mediator present. Betty said that the company gave copies of its final offer to all of the union committee members and to the mediator. She said it took about 30 minutes for the HR Representative to go through the offer and explain what it contained and what had been removed. The 12-hour shift schedule and the changes in overtime pay were still there; so was the pay by direct deposit every two weeks. But the company had withdrawn its proposal to change the holiday schedule and had also withdrawn several other small cost saving proposals.

The mediator suggested that the union take time to consider the offer while the company waited in another room, but Rob said there was no need. He said that the company couldn’t seem to understand or accept the fact that the membership would not agree to give up anything it had already won, and that there would have to be some wage and benefits improvements in the new contract or there just wouldn’t be any new contract. He told the company and the mediator that the union was not afraid of the empty threat to close the plant because it knew that the company would never do that. He said that the members would meet on the 29th to vote this offer down and he would see the company next time on the picket line.

SEPTEMBER 29TH—THE RATIFICATION MEETING

At the membership meeting on September 29th I was expecting to see a copy of the company’s final offer. Instead Rob simply said, “The company continues to demand that you give up all the wage and benefits improvements the union has won for you over the past 30 years. You have already voted unanimously to strike if they keep demanding these givebacks and you sent them a clear message that you won’t be

threatened or intimidated. Now it's time to send them the message that you won't take "NO" for an answer to your demands. Let's see a show of hands from those who think they deserve to be treated fairly in these negotiations. If the company can't scare you into going back to the 1970's, stand up and be counted!

"Wait a minute" one of the members hollered, "What happens if we vote this offer down?" "Then you will be on strike at midnight tomorrow night", Rob said. "But what does that mean", the member asked? Rob replied, "You will all be walking picket duty in front of the plant and carrying signs saying that the company is being unfair to its workers. You will be paid \$28.00 for each day that you are on picket duty, that's \$200 a week, and your union will stand solidly behind you. We'll get publicity from the local and national media to call attention to how you are being mistreated by Appliance Parts, Inc. and the public outcry at what the company is trying to force you to accept will bring them back to the table with a decent offer within two weeks. I've been through this before and I know what I'm doing. Just trust the IBAW to lead you through this situation and you'll be back at work, with higher wages and better benefits, by the end of October. Now who is with me?"

There was still a lot of mumbling among the members, but in the end those who attended the meeting voted 151 against accepting the company's offer and 62 in favor. Rob said that he would inform the company and the federal mediator of our decision and that we should work our regular shifts until the second shift ended on Tuesday, September 30th and then all gather at the front gate at midnight.

When I got home and told my wife what had happened she was very quiet. I explained that I had voted to accept the company's offer, even though it would have meant reduced benefits and income for us, but the majority of the members at the meeting had voted to turn it down. She asked what would happen to us if the plant closed and I told her, "The union representative assures us that won't happen. He said that the union has lots of experience with strikes and that the company will cave in and give us what we want within two weeks." She said, "And that's supposed to reassure me? So far that union representative has refused to tell you what was going on, lied about what was happening in negotiations, talked the lot of you into taking a strike vote without even knowing what the company's final offer would be, and now he has gotten you to vote the company's offer down without even seeing it. You know the company said if it can't make the plant profitable it would close the operation. What am I supposed to believe; what are you supposed to believe? I'm scared and I hold that damn union responsible for whatever happens." Then she started to cry and I felt terrible.

OCTOBER—THE NEXT THREE WEEKS

I worked my regular day shift on September 30th and then went back to the plant at midnight for the start of the strike. Rob was there with a bull horn and a stack of picket signs that said "*Appliance Parts Unfair to Workers*", and "*IBAW on Strike for Fair Treatment*", and "*12-hour Shifts are Anti-family*". About 150 employees had gathered at the main gate by the time the second shift left the plant and joined us. Many of the

members were carrying picket signs and walking in a big circle on the sidewalk just outside the main gate, and they were chanting “**No Givebacks, No Givebacks**”. As Rob had promised, there was a news crew there from the local TV station and they were filming the activity. Rob was interviewed by a newspaper reporter and he told them that we were on strike because the company was trying to take away 30 years of wage and benefits improvements and that the employees wouldn’t stand for it.

Boy did I learn a lot in the next few weeks. The newspapers and the TV news people covered the strike alright, for about three days. They ran the interview with Rob Crenshaw, our IBAW Business Agent, but they also ran an interview with our Plant Manager. He said that our plant was in deep financial trouble and had been losing money for 5 years. He told the interviewer that from the very beginning of negotiations the company had been explaining the situation to the union and trying to get them to help save the plant and the workers’ jobs, but that the union had refused to even discuss ways to lower costs and make the plant competitive again. I thought the interview was fair but it sure didn’t make the union look too good. The public outcry against Appliance Parts, Inc. that Rob had promised never materialized.

The company got a temporary restraining order against “mass picketing” and the judge ruled that we couldn’t block the entrance to the plant, couldn’t block the sidewalk around the plant, and couldn’t have more than 7 employees picketing at any one time. With that ruling I found that I was only scheduled for picket duty once every 12 days. Instead of the \$200 per week that Rob had promised us, my strike pay turned out to be \$28 every two weeks. Then the unemployment commission ruled that since we were on strike by choice, we didn’t qualify for unemployment benefits—that was something else the union had never warned us about.

The union committee met with the company’s negotiators once during the first week of the strike, under the direction of the federal mediator, and Betty told me that Rob threatened the company with a strike of 6 months or longer if they didn’t get their s--- together and make a decent offer to the members. The HR Representative responded that the company had made its best, last and final offer and, if the union wanted to accept it they could do so until October 31st. After that, he said, the company would have to consider withdrawing the offer. Rob told them, “You might as well withdraw it right now; we voted it down once and we won’t vote on it again. You know where we stand and until you are ready to meet our terms you can see us by looking out the window at the pickets on the line.”

After that first week I started looking for a part time job—I had bills to pay and a family to support. But I wasn’t the only one looking, and many of the places I applied said that since I would be going back to Appliance Parts, Inc. as soon as the strike ended they didn’t have anything for me at this time. My wife was quiet about the situation, no “I told you so’s” but I knew she was scared and very unhappy. She kept up a good attitude in front of the kids, but at night, after they were in bed, she often cried herself to sleep.

NOVEMBER AND DECEMBER—THE CONCLUSION

There were no more meetings between the company and union in October. Then, on November 1st, the company sent a letter to the union with copies to all of the employees. It said that the company had been trying since April to involve the union and the employees in its efforts to reduce operating costs and save the plant. In spite of the company's efforts the union had refused to even discuss ways in which costs could be reduced and jobs could be saved at the plant. The company pointed out that it had withdrawn and modified many of its original cost saving proposals in an effort to get the union to participate in finding ways to save the plant, but that all of its attempts had been rejected by the union without even discussing them. The letter said that the company had made a best, last and final offer to the union and the employees on September 25th and had allowed the offer to remain in effect until October 31st, but the union had only taken the offer to the employees once, on September 29th, and it had been rejected by the majority of the members who voted. Then the company announced, in accordance with federal law, we were being given 30 days notice that the corporation had decided to permanently close the plant effective December 1st. We would receive all the outstanding vacation pay we had accrued sometime before December 31st and our medical benefits would be covered by COBRA for 18 months provided we paid the monthly premiums ourselves beginning December 1st.

There was more in the letter, about how we could contact someone at the plant to get our personal belongings, how to apply for and pay for COBRA, and other things, but I couldn't read them right then. I felt like I had been punched in the gut. My first thought was, "How am I going to tell Sheila and the kids that after 27 years I was unemployed and had no chance of getting my job back? How were we going to keep the house and pay the bills? How could we keep paying Karen's tuition at the U of Ohio? What were we going to do?"

Then I got mad. That damn union! If they had only been honest with us and told us what was going on. If we had known what the situation was we could have helped save the plant and our jobs. If they had told us the truth instead of making empty promises to us about what would happen and what the outcome would be... But no; they had the experience; the company would come around if we stood firm; the company had money to pay us better wages and benefits no matter what they said; the company would never close the plant; the strike wouldn't last 2 weeks. I know hindsight is supposed to be 20/20, but I felt cheated and abandoned. "Here's a Christmas present from your union—we killed your job!"

The company kept its promises. I got a check for my unused vacation on December 22nd, just in time for Christmas. They hung a big lock on the main gate and posted a sign that said, "For Sale or Lease" on the fence next to the gate. It took me almost a month to find work as a temporary employee stocking shelves at a local big box toy store, making \$8.35 an hour with no benefits beyond my COBRA. Every time I go to work I pass the plant with its lock and "For Sale or Lease" sign and I get a sick feeling in the pit of my stomach. Why did this happen? How did this happen?

I blame the company, for not keeping us informed about the plant's financial troubles as we went along. I blame myself; after all I did let the union tell me what to do instead of thinking for myself and making my own decisions, and I did vote to strike. But most of all I blame the union. They intentionally kept us in the dark. They lied to us about what could and would happen. In spite of their "experience" and all their promises, they forced the closing of our plant, and the employees and their families are the ones who are suffering.

Oh yes, I almost forget. Rob Crenshaw was promoted by the IBAW to an Area Director and moved to another location. The negotiations the IBAW had at the aluminum siding factory downtown ended with the union agreeing to reduce benefits, to getting no wage increases for two years, and to working a 12-hour shift schedule similar to the one the company had proposed in our negotiations. The Appliance Parts, Inc. plant in South Carolina, a non-union facility by the way, is booming since they transferred the work and the equipment from our plant down there. And not a day goes by that I wish I had a chance to do it all over again. I guarantee you that I would have stood up to the union; told my coworkers what I really thought, voted against the strike and for the company's offer—or at least that's what I tell myself now, when it's too late.

ABOUT THE AUTHORS AND WHY WE WROTE THIS BOOK

We are just a couple of guys who have worked for more than 85 years in organizations that were unionized and organizations that were non-union. We are not anti-union. In fact, we believe organizations that are successfully organized by unions under today's labor laws probably need a union to protect workers' rights. We also think that the current labor laws of the United States work pretty well to help and protect the average working Joe and Jill.

Furthermore, we believe that over the years most organizations have come to learn how to treat their employees in a fair and respectful manner, and realize that there is more to be gained by treating employees well than by abusing them and taking advantage of them at every opportunity. As a result the arguments for unionization have gradually disappeared, resulting in a marked decline in the number of successful union organizing drives.

We wrote this book because our present government is trying to change the labor laws that protect your rights to freely decide if you want to be represented by a union. The US Congress is proposing the elimination of the secret ballot election from the union organizing process. Current labor laws require a secret ballot vote in all situations where a union successfully gets 30% or more of the employees in an organization to sign authorization cards, and where the company refuses to voluntarily recognize the union as the exclusive bargaining agent of the employees. Congress is giving serious consideration to forcing automatic recognition of the union if 50% of the eligible employees sign authorization cards—thus eliminating the secret ballot vote. Such a marked deviation from our democratic principles, and the government-sanctioned denial of the “one person one vote” concept on which our country's election system is based, flies in the face of the employees' right, your right, to choose.

In addition, there are currently 22 states that have “Right to Work” laws on their books. In these states no individual can be forced to join a union or pay dues in order to keep his or her job, even if a union has organized the workplace. In the states without “Right to Work” laws it is legal for a company and a union to enter into an agreement that requires an individual to join the union and pay dues if he or she wants to keep their job. Refusal to join the union is a legal cause for termination in such cases. In the 22 “Right to Work States” unions are lobbying and working hard to get those laws changed so that the concept of “Right to Work” becomes a thing of the past. We oppose these efforts.

We believe that the public should know what unions are really all about. Unions are business just like companies and all types of organizations. Union members are like a business's customers and without members unions would have no way of making money. Unions use the initiation fees, dues and assessments collected from their members to support their activities, protect themselves, and to foster a climate that makes it easier to organize workplaces and increase membership. What members get for their initiation fees, dues and assessments is the promise that the union will get them

good wages and benefits and the promise that the union will protect them from the “terrible, greedy, cruel business managers”.

You might think that your employer is fair and good to its employees because you are treated well and have interesting work. However, if a union attempts to organize your company they will try to poison your view of your employer by telling you how unfair the company is and how the union will protect you and get you the things you rightfully deserve. The catch is that once you are in a union you can’t just decide you no longer want their services. When you buy products or services from a supplier you can decide you don’t like them and either return them or just not purchase any more from that company. Unfortunately that’s not the way it works with a union. We urge you to learn more about unions so that if a union comes knocking on your door, or on the door of your employer, you will be able to make informed choices about whether or not to sign a union authorization card, or to vote to be represented by a union—assuming that you continue to have that choice. For additional information on unions you might want to check::

The National Right to Work Foundation
National Right to Work Committee
Union Facts.com
The Center for Union Facts

www.nrtw.org
www.nrtwc.org
www.unionfacts.com
www.UnionFacts.com

Here is some basic information about a few of the unions that most people recognize. They are frequently in the news and their names have become household words. These statistics are for the year 2006, the most recent year for which all reported.

Communications Workers of America

Basic Facts

<u>Total Assets:</u>	<u>\$ 510,617,472</u>
<u>Members:</u>	<u>720,534</u>
<u>Employees:</u>	<u>862</u>
<u>Employees earning over \$75,000:</u>	<u>313</u>
<u>Total Political Funds:</u>	<u>\$ 2,578,403</u>
<u>ULPs Filed Since 2000:</u>	<u>1,151</u>
<u>Decertification Petitions Filed:</u>	<u>188</u>

International Brotherhood of Electrical Workers

Basic Facts

<u>Total Assets:</u>	<u>\$ 581,387,401</u>
<u>Members:</u>	<u>699,053</u>
<u>Employees:</u>	<u>403</u>
<u>Employees earning over \$75,000:</u>	<u>231</u>
<u>Total Political Funds:</u>	<u>\$ 4,157,970</u>
<u>ULPs Filed Since 2000:</u>	<u>2,335</u>
<u>Decertification Petitions Filed:</u>	<u>216</u>

Iron Workers

Basic Facts

<u>Total Assets:</u>	<u>\$ 102,445,960</u>
<u>Members:</u>	<u>127,222</u>
<u>Employees:</u>	<u>113</u>
<u>Employees earning over \$75,000:</u>	<u>59</u>
<u>Total Political Funds:</u>	<u>\$ 33,000</u>
<u>ULPs Filed Since 2000:</u>	<u>415</u>
<u>Decertification Petitions Filed:</u>	<u>22</u>

National Association of Letter Carriers

Basic Facts

<u>Total Assets:</u>	<u>\$ 187,668,597</u>
<u>Members:</u>	<u>289,119</u>
<u>Employees:</u>	<u>149</u>
<u>Employees earning over \$75,000:</u>	<u>64</u>
<u>Total Political Funds:</u>	<u>\$ 2,236,550</u>
<u>ULPs Filed Since 2000:</u>	<u>950</u>

Steelworkers

<u>Total Assets:</u>	<u>\$ 346,378,697</u>
<u>Members:</u>	<u>754,978</u>
<u>Employees:</u>	<u>1280</u>
<u>Employees earning over \$75,000:</u>	<u>199</u>
<u>Total Political Funds:</u>	<u>\$ 1,144,325</u>
<u>ULPs Filed Since 2000:</u>	<u>1,748</u>
<u>Decertification Petitions Filed:</u>	<u>264</u>

Teamsters

<u>Total Assets:</u>	<u>\$ 178,133,890</u>
<u>Members:</u>	<u>1,396,174</u>
<u>Employees:</u>	<u>667</u>
<u>Employees earning over \$75,000:</u>	<u>149</u>
<u>Total Political Funds:</u>	<u>\$ 3,336,181</u>
<u>ULPs Filed Since 2000:</u>	<u>6,413</u>
<u>Decertification Petitions Filed:</u>	<u>1243</u>

United Auto Workers

<u>Total Assets:</u>	<u>\$ 1,235,803,647</u>
<u>Members:</u>	<u>557,099</u>
<u>Employees:</u>	<u>1094</u>
<u>Employees earning over \$75,000:</u>	<u>701</u>
<u>Total Political Funds:</u>	<u>\$ 7,232,229</u>
<u>ULPs Filed Since 2000:</u>	<u>2,602</u>
<u>Decertification Petitions Filed:</u>	<u>127</u>

United Mine Workers

<u>Total Assets:</u>	<u>\$ 157,932,798</u>
<u>Members:</u>	<u>90,075</u>
<u>Employees:</u>	<u>149</u>
<u>Employees earning over \$75,000:</u>	<u>28</u>
<u>Total Political Funds:</u>	<u>\$ 488,900</u>
<u>ULPs Filed Since 2000:</u>	<u>105</u>
<u>Decertification Petitions Filed:</u>	<u>8</u>