

Week of July 13, 2009



State Senator
**Jack
Goodman**
District 29



CAPITOL REPORT

Senator Jack Goodman – Serving Barry, Lawrence, McDonald, Ozark, Stone and Taney Counties

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Securing Secret Ballots in the Workplace

One of the basic principles of our democracy is that voting should always be a private choice. As Americans, this is one of our most fundamental beliefs.

When we vote for elected officials and issues, we must be confident that the results are free from manipulation or abuse from outside forces. Without this confidence, the legitimacy of election outcomes is called into question and people lose faith in the process. We have seen this scenario play out tragically in failed democracies around the world.

Now, sadly, there are some who want to deny this basic right in the contentious arena of labor relations. Having become impatient with their lack of success in recent years, special interest groups are pressuring Congress to enact legislation that would ultimately take the fundamental right of a secret ballot from American workers.

For more than 60 years, federal law has protected American workers' right to vote by secret ballot when deciding whether to form a union. The secret ballot lets workers vote their conscience without risking job loss, coercion, or intimidation for making the "wrong" choice. The so-called "Employee Free Choice Act would actually take that right away.

Right now, a signature gathering process is used during organization drives to establish what percentage of workers are interested in union representation. If enough workers are interested, then a secret ballot election is held. While the Employee Free Choice Act would not actually repeal the secret ballot election, it would allow the signature collection process to *assume the force of a vote so that no election is ever held.*

Substituting a public card collection process for the secret ballot election will expose workers to outside pressures from both management and labor. Without secret ballots, union organizers and management would know who has signed union cards and who has not. We would be foolish to assume that this information will never be misused.

As if this is not dire enough, this jobs-destroying legislation is a direct threat to small businesses and other employers in southwest Missouri. By shortcutting the procedure for unionization and shutting employers out of the process, this legislation will make it easier for unions to be certified and represent employees in businesses of all sizes. Hundreds of small business in the area like hospitals, doctors offices, fast food restaurants or gas stations, just to name a few, could find themselves unionized within a matter of months. The economic effects of this would be devastating. Additional labor costs would make it incredibly difficult for these businesses to compete in an already battered economy and would force many to lay off workers or shut their doors forever. In many cases the costs would be passed on to you, the consumer. It seems clear this is not the way to get the American people back on their feet and back to work.

Last session, in the Missouri General Assembly, I handled HJR 37 in the Senate, which was written to protect the secret ballot for Missouri's workers. If approved by voters, this resolution would have created a constitutional right in the State of Missouri to cast a secret ballot in all government regulated elections for labor representation, public office and issue questions. Although the measure did not pass, my hope is that we will see a successful petition drive to place it on the ballot next November.

The right to a secret ballot election to support or reject unionization *must be preserved*. Regardless of their political affiliations, Americans must remain dedicated to maintaining the fundamental protection afforded by secret ballots and should tirelessly resist the erosion of this liberty at any level.

As always, I welcome your ideas, questions and concerns about Missouri government. You may contact me at the Capitol as follows: (573) 751-2234, jack.goodman@senate.mo.gov or by writing to Senator Jack Goodman, Missouri State Capitol, Room 331-A, Jefferson City, MO 65101.

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