

Letter to the *Tallahassee Democrat*, March 22, 2009

Coercion, intimidation of work force is real

In the March 12 *Democrat*, two My View columnists and a business columnist expressed opposition to the proposed Employee Free Choice Act and support of a Florida constitutional amendment to block “card check” from becoming the normal process for unionization.

At least two mentioned our domestic auto industry as evidence of adverse union effects. This ignores the reality that our current economic difficulties started in the union-free financial services industry, where the bailout funding injected already dwarfs the auto industry’s wildest dreams.

All expressed concern about intimidation and coercion that union supporters might apply to employees. None mentioned the massive coercion and intimidation by employers that occurs now.

A recent report notes, “Current law has given employers a powerful anti-union strategy: Fire one or more prominent pro-union employees – typically workers most involved in organizing the union ... while intimidating the rest ...” prior to the secret-ballot election (“Dropping the Ax: Illegal Firings During Union Election Campaigns,”).

This coercion and intimidation is real. Why no mention? Is it acceptable to these writers because it is “the devil we know”?

Employers apparently have a sudden deep concern for the sanctity of secret ballots. Perhaps this is because “management pressure on workers to oppose unionization was considerably greater than pressure from co-workers or organizers to support the union in both card checks and elections” (“NLRB Elections Versus Card Check Campaigns,” *Industrial and Labor Relations Review*, January 2009).

A secret-ballot election is ideal when both sides have equal access to voters, neither side holds tremendous leverage, and laws prevent intimidation. This is not the situation in the American workplace. The Employee Free Choice Act would help to restore balance.

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