

House Resolution No. 1362

95TH GENERAL ASSEMBLY

2402L.011

1 **Whereas**, the right to a private secret ballot when voting on external representation
2 is fundamentally inherent in our representative republic and shall not be infringed upon; and
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4 **Whereas**, passing the Employee Free Choice Act (EFCA, H.R. 800/S. 1041) will
5 replace a federally supervised private ballot election with a system that facilitates coercion and
6 intimidation, known as "card check", whereby employees publicly sign cards to vote for
7 unionization; and
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9 **Whereas**, 79 percent of the American people support a worker's right to a federally
10 supervised secret ballot election when deciding whether or not to join a union; and
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12 **Whereas**, the tri-partisan agreement to oppose the EFCA is overwhelming, as 77
13 percent of Republicans, 82 percent of Democrats, and 79 percent of Independents believe in
14 protecting private ballots; and
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16 **Whereas**, in July 2002, before a U.S. House subcommittee, a union employee
17 testified that those who would not vote for a union in a public "card check" program were
18 threatened with termination, deportation, and loss of 401(k) and health benefits; and
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20 **Whereas**, even the chairman of the U.S. House Education and Labor Committee,
21 Rep. Miller (D-California), and staunch supporter of the American "card check" bill, sent a letter
22 to Mexican government officials which stated, "... we feel that the private ballot is absolutely
23 necessary in order to ensure workers are not intimidated into voting for a union they may
24 otherwise not choose."; and
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26 **Whereas**, the EFCA's mandatory binding arbitration provisions deny workers the
27 right to participate in the collective bargaining process between employees and the union:
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29 **Now, therefore, be it resolved** that we, the members of the Missouri
30 House of Representatives, Ninety-fifth General Assembly, find that so-called "card check"
31 legislation such as the "Employee Free Choice Act" is detrimental to the rights of workers and
32 an offense against democratic principles, and urges all members of the congressional delegation
33 to support worker freedom by opposing the EFCA and any of its components in 2009 and in
34 future years; and
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36 **Be it further resolved** that the Chief Clerk of the Missouri House of
37 Representatives be instructed to prepare a properly inscribed copy of this resolution for each
38 member of Missouri's congressional delegation.

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