



February 18, 2009

Re: Resolution Opposing Federal “Card Check”

To All Members of the Senate,

We, the undersigned, represent employers of all sizes across numerous industries, located in every corner of Pennsylvania. Jointly, our members provide more than two million jobs to people in our state. As a group, we represent an overwhelming majority of the private workforce in the Commonwealth. We recognize that the workforce of Pennsylvania is dedicated and talented, and our members strive to work cooperatively with employees—for the good of our state and the broader economy.

With this in mind, we are writing to urge you to co-sponsor a resolution to be introduced by Sen. Mike Folmer. The resolution calls upon the Pennsylvania Congressional Delegation to oppose the Employee Free Choice Act (EFCA). We also urge you to support the Folmer resolution when it comes up for a vote.

As you know, workers in the United States have the right to unionize, and this right is strongly protected under current law. But just as workers have the right to form unions without threat of retribution, they also have the right to reject unionization if they feel that a union is not in their best interest.

Today, *the private ballot* provides workers with the ability to vote freely, up or down, for unionization, without interference from co-workers, employers, managers, union leaders, or others. EFCA would all but eliminate the private ballot, forcing workers to expose their private votes.

In addition to effectively eliminating the private ballot for union-organizing elections, EFCA includes a number of other ill-conceived provisions, including:

- **Treating every business the same:** A single-site, local company with a few dozen employees is very different from a multinational with tens of thousand of employees. EFCA would treat all these businesses as if they had the same issues and resources.
- **The ongoing threat of forced federal arbitration:** After a union is recognized for the first time, government arbitrators will set all the terms and conditions of the union contract unless the union and the employer can meet an unrealistic 120 day timeline. This mandatory interest arbitration provision would remove any incentive for the employer or the union to adopt realistic bargaining positions, as each would be posturing for the arbitrator, and would give the arbitrator control of the most basic business decisions.
- **New and increased penalties only on employers:** EFCA would increase penalties only for employers, but not for unions or others, who violate union organizing laws. Specifically, an employer could pay fines up to \$20,000 per violation.

Especially in today's economic climate, government should seek ways to bring employers and employees together. We all contribute to the economic health and social fabric of our communities and our nation. Public policy needs to support our positive bonds, not drive new divisions between workers, unions, and employers.

Thank you for your attention to this matter and for your consideration of our position. We would appreciate an opportunity to meet with you to discuss these concerns in more detail.

Sincerely,



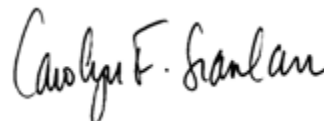
Floyd Warner  
President  
Pennsylvania Chamber of Business  
and Industry



Frederick W. Anton  
President & CEO  
Pennsylvania Manufacturers  
Association



Jim Runk  
President & CEO



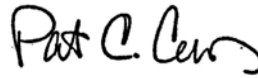
Carolyn F. Scanlan  
President and CEO

Pennsylvania Motor Truck Association



Kevin Shivers  
Pennsylvania State Director  
National Federation of Independent Business

The Hospital & Healthsystem  
Association of Pennsylvania



Pat Conway  
President & CEO  
Pennsylvania Restaurant Association



George Ellis  
President  
Pennsylvania Coal Association



Brian A. Rider  
President & CEO  
Pennsylvania Retailers' Association



Susan Staub  
President  
Pennsylvanians for Right to Work, Inc.



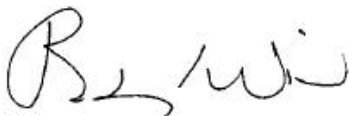
David McCorkle  
President & CEO  
Pennsylvania Food Merchants  
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John R. Zimmer, CAE  
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Associated Builders & Contractors, Inc.,  
Keystone Chapter



Jeff Zeh  
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South Central Pennsylvania