

FACT SHEET

The Employee Free Choice Act: *Paving the Way for Asian Pacific American Workers and Their Families*



"If a majority of workers want a union, they should get a union. It is that simple."

– President Barack Obama



"The Employee Free Choice Act will help Asian Pacific Americans, and all workers, achieve the American Dream by allowing us to fight for fair wages, health care and a voice in the workplace."

– Maria Somma,
APALA National President

"Everyone has the right to form and to join unions."

– Universal Declaration of
Human Rights, Article 23



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Asian Pacific American workers and their families – like most Americans – are struggling to keep up in today's economy. Even a college education doesn't guarantee a good or secure income anymore. Our best – and only hope – requires more workers to be able to speak up and take actions to advance their interests at work and in our government. That's why we need Congress to approve the Employee Free Choice Act now!

What is the Employee Free Choice Act?

The Employee Free Choice Act is a bill in Congress that would level the playing field and restore workers' freedom to bargain with their employers for secure jobs, health care and retirement benefits and fair pay. A broad coalition of unions, employers, academics, religious and community organizations – Democrats and Republicans – support the Employee Free Choice Act because it would

- Strengthen penalties for companies that illegally coerce or intimidate employees in an effort to prevent them from forming a union;
- Bring in a neutral third party to settle a contract when a company and a newly certified union cannot agree on a contract after three months;
- Establish majority sign-up: if a majority of the employees sign union authorization cards, validated by the National Labor Relations Board (NLRB), a company must recognize the union.

Why do we need the Employee Free Choice Act?

- Over 10 percent of Asian Pacific Americans live below the poverty line while CEOs earn 340 times as much as an average worker;
- While nearly half of Asian Pacific American workers have no health insurance, workers in unions are 59 percent more likely to have employer-provided health insurance;
- During union organizing campaigns, 25 percent of employers fire union supporters;
- 42 million employees who are not represented by a union would like to have representation at work;
- Employers threaten to call the Immigration and Naturalization Service (INS) in 52 percent of all organizing efforts involving undocumented workers; and
- Almost 75 percent of the public favors the Employee Free Choice Act.

Myths and Facts

MYTH: The Employee Free Choice Act eliminates secret ballot elections.

FACT: FALSE. If one third of workers want to have an NLRB election at their workplace, they can still ask the federal government to hold an election. The Employee Free Choice Act simply gives them another option – majority sign-up.

MYTH: Current labor law sufficiently protects worker's rights.

FACT: FALSE. The current system for forming unions and bargaining has become a barrier to workers' rights. 25 percent of employers fire at least one pro-union worker; 51 percent threaten to close a worksite if the union prevails; and, 91 percent force employees to attend one-on-one anti-union meetings with their supervisors.