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Gov. Rounds speaks out against federal card check bill

PIERRE, S.D. – Gov. Mike Rounds has stated his opposition to the Employee Free Choice Act (EFCA) saying it would negatively impact both South Dakota workers and employers.

EFCA is pending federal legislation which would amend the National Labor Relations Act to establish an easier system to enable employees to form, join or assist labor organizations. The latest version was introduced to the new Congress on March 10 and is expected to be debated soon.

EFCA would require the National Labor Relations Board certify a union based upon a majority card check instead of certifying a union only after it receives a majority of employee votes in a secret ballot election. If a simple majority of the affected employees show their support by signing authorization cards in the non-secret, open ballot, union representation would be allowed.

“Eliminating secret ballots will likely cause workers to feel intimidated,” said Gov. Rounds. “Individuals should never be put in a situation in which they feel harassed or are deceived into signing cards to authorize a union.”

In addition, EFCA would enact an arbitration board provision to replace good faith bargaining if the employer and union cannot reach an agreement within 90 days from when negotiations start.

“Government officials lacking expertise should not be allowed to make decisions about business operations, especially in our current economic slump,” said Gov. Rounds. “Poor decisions and more employment rules could result in additional layoffs or closures.”

Current South Dakota law serves both employers and employees by offering maximum flexibility in building their relationship. “Employees and employers are allowed to establish their working conditions without outside involvement,” said Gov. Rounds. “EFCA would give the arbitration board authority to regulate a variety of matters including wages and bonuses, employment levels, retirement and health care plans, work assignments and subcontracting.”

EFCA was introduced in Congress as H.R. 800 in early 2007, but never became law.

