

EXHIBIT 13
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SB 254

Testimony of John C. Hagen
Executive Director, Montana Citizens for Right to Work
Before the House Judiciary committee
On Senate Bill 254
March 22, 2007

Mr. Chairman, members of the committee, my name is John Hagen, and I am the Executive Director of Montana Citizens for Right to Work.

I'm here today to urge you to oppose Senate Bill 254, The Montana neutrality collective bargaining agreement in state services contracts.

Because of their complexity, labor laws are not well understood by most citizens. I'd like to open my testimony with a simple illustration that shows what SB 254 would do.

Imagine you are running for re-election next year, and there's a new election system in place: the first person to collect election petitions from more than half of the people in your district wins.

Your opponent then seizes on the opportunity this presents, and goes around door-to-door with his friends collecting signatures while you are busy because the legislature is still in session, convincing your constituents to sign petitions supporting him by making dubious charges about your record.

By the time you have a chance to respond to these allegations and start collecting petitions yourself, your opponent has turned his petitions in at the Secretary of State's Office, and you're out of office.

That's essentially what this bill would do to union certification elections.

Instead of having secret-ballot elections on a specific date, giving workers ample time to evaluate their options and consult co-workers about what would be best, workers would be accosted by union organizers, potentially at home without prior notice, and only be presented with one side of the story, and would then be asked to decide on the spot to support union certification.

In the words of housekeeping inspectors Faith Jetter, "I do not care what decision any employee makes regarding whether or not to be represented by the HERE [Hotel Employees

and Restaurant Employees] union, but I think it is each employee's individual choice, to be made with full knowledge of what that choice means... I would want to hear all sides of the story, not just the union's side."

Because they are often signed before workers have fully studied the issue, the AFL-CIO has even admitted in the past that pledge cards are extremely unreliable as an indicator of actual interest in joining a union.

The 1961 Guidebook for Union Organizers states, "NLRB pledge cards are at best a signifying of interest at a given moment. Sometimes they are signed to "get the union off my back".... Whatever the reason, there is no guarantee of anything in a signed NLRB pledge card..."

It is wrong to force a worker to accept union representation under any circumstances, but at the very least, workers should have the protections associated with a secret ballot election, which SB 254 would remove.

Otherwise, the door is left wide open for intimidation and harassment of workers who are reluctant to join a union.

As former United Food and Commercial Workers union organizer Joe Crump wrote, "you don't need a majority, or even thirty percent support, among employees," under card check to certify a union as the monopoly bargaining agent.

According to one worker's sworn affidavit against the United Food and Commercial Workers, "they continue coming to my home when asked not to come back! They continue showing up when asked to leave I feel as though I am being badgered/harassed in a manner that is clearly not necessary. No is no."

And union bosses have even resorted to outright lies to achieve their ends. According to Freightliner Chassis Corporation Materials Handler Mike Ivey, "in the process of obtaining the needed signatures, there are a lot of untruths told. Employees are told at off-site meetings that these cards only represent their attendance at these meetings. What they are not told is that these cards are a legally binding document, which states that the employee is pro-union..."

Temporary contracted employees are told they will be hired if they sign this card. The union [actually has nothing to do with the hiring of these employees. Cards of employees who

have quit or have been terminated are still included in the count for the union. Where is the fairness there?"

Passing SB 254 would only compound the evils of compulsory unionism by taking away workers' basic right to a secret ballot.

In the words of Samuel Gompers, founder of the AFL, "no lasting gain has ever come from compulsion. If we seek to force, we but tear apart that which, united, is invincible."

In the interests of individual workers' rights, I urge you to vote no on SB 254.