

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT MEMORIAL NO. 8

BY STATE AFFAIRS COMMITTEE

A JOINT MEMORIAL

1 TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES  
2 IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION  
3 REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED  
4 STATES.  
5

6 We, your Memorialists, the House of Representatives and the Senate of the State of Idaho  
7 assembled in the First Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully  
8 represent that:

9 WHEREAS, the right to a private, secret ballot when voting on external representation is  
10 fundamentally inherent in our representative Republic and shall not be infringed upon; and

11 WHEREAS, the passage of the Employee Free Choice Act (EFCA), or any components  
12 contained within the Act, would allow, in place of a federally supervised private ballot election,  
13 a system known as "card check," whereby employees sign valid authorizations designating an  
14 individual or labor organization as the employees' bargaining representative; and

15 WHEREAS, the "card check" system would facilitate coercion and intimidation by per-  
16 mitting the union authorization cards to be signed before union organizers; and

17 WHEREAS, in a March of 2008 nationwide telephone survey of 1,000 adults, conducted  
18 by the polling company, inc., seventy-nine percent of the American people agreed that every  
19 worker should continue to have the right to a federally supervised secret ballot election when  
20 deciding whether to organize a union. The support for this proposition was overwhelmingly  
21 tri-partisan, with seventy-seven percent of Republicans, eighty-two percent of Democrats and  
22 seventy-nine percent of independents so agreeing; and

23 WHEREAS, a June of 2004 national random telephone survey of over 700 union mem-  
24 bers conducted by Zogby International found that fifty-three percent of the respondents believed  
25 that having the government hold a secret ballot election and keeping the workers' decisions pri-  
26 vate was the more fair way to become part of a union; and

27 WHEREAS, in July of 2002, Bruce G. Esgar, an employee of MGM Grand Hotel, Inc. in  
28 Las Vegas, testified before the United States House of Representatives Committee on Education  
29 and the Workforce that the Culinary Workers Union, Local 226, used threats of job loss and  
30 loss of health and the 401k benefits if the authorization card was not signed; and

31 WHEREAS, according to the United States Chamber of Commerce, Representative  
32 George Miller, the Chairman of the United States House of Representatives Education and  
33 Labor Committee and a staunch supporter of the American "card check" bill, along with fifteen  
34 other members of Congress, sent a letter to Mexican government officials in August of 2001,  
35 stating "we feel that the private ballot is absolutely necessary in order to ensure workers are not  
36 intimidated into voting for a union they may otherwise not choose"; and

37 WHEREAS, the EFCA's mandatory binding arbitration provisions deny workers the right  
38 to participate in the collective bargaining process between employees and the union; and

1           WHEREAS, the so-called "card check" legislation, such as the EFCA, is detrimental to  
2 the rights of workers and is an offense against democratic principles; and

3           WHEREAS, the Idaho Legislature finds that the EFCA is detrimental to the rights of  
4 workers and an offense against democratic principles.

5           NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of  
6 the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein,  
7 that the Senate and the House of Representatives of the United States Congress assembled and  
8 the congressional delegation representing the state of Idaho in the Congress of the United States  
9 are strongly urged to vote "no" on cloture and on final passage of the Employee Free Choice  
10 Act and oppose any of its components in 2009, and in future years.

11           BE IT FURTHER RESOLVED that the members of the Idaho Legislature strongly urge  
12 all members of the United States Congress to vote "no" on final passage of the Employee Free  
13 Choice Act and oppose any of its components in 2009, and in future years.

14           BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be,  
15 and she is hereby authorized and directed to forward a copy of this Memorial to the President  
16 of the Senate and the Speaker of the House of Representatives of Congress, and the congres-  
17 sional delegation representing the State of Idaho in the Congress of the United States.