

Why We Need the Employee Free Choice Act - Worker Voices

Bill Lawhor, Fork-lift Operator, Consolidated Biscuit Company (CBC)

I was a fork-lift operator for Consolidated Biscuit Company, we made crackers and cookies, mainly for Nabisco. We tried to form a union to get a little more respect, dignity, maybe a little retirement. We had a majority [650 out of 857 workers signed a card for union representation] the people really wanted the union. They wanted some security. But then they were scared. Managers would come out of the office, if they thought you were a union supporter, they would stand by you and give you this glare trying to intimidate you and scare you. We were forced to attend mandatory meetings where the owner would talk but we weren't allowed to ask any questions. They would take you aside one by one and say if you get a union in here we're going to move this factory or close it down. After threats of loss of benefits, plant closure and stricter discipline if we voted for a union, fear spread, we lost 286 to 485. The company told me I would be fired if the workers' organizing for a union didn't win the election. And it happened. The day after the election they called me to the offices and fired me. I took my case to the National Labor Relations Board. It took four and a half years and an order from a federal court but I won. I won my job back, I won back pay. We won a new election. But law doesn't force the company to do anything. They lost and yet they won. Six years later, they have run out of appeals, they were ordered to give me my job back and back pay but I'm still fired and I haven't seen a dime. It gets rough out of work without work. My sons put together a truck for me so I could haul garbage for my friends and neighbors to make a little extra money. I had to borrow money from my children. Parents don't borrow from their children. This isn't the American way. If we had this law back then, we'd be working on our second contract now, not sitting and talking about being fired. We need the Employer Free Choice Act so this doesn't happen to anyone else. No one knows what it is like until you go through it for six years. Somebody asked me if I had it to do again would I do it. Hell yes, it's the right thing to do.

Theo Jackson, Substance Abuse Case Manager, Scotts Valley, CA

America is supposed to be a place where when you work hard you can get ahead... But I lost my job after I spoke out for a better life for my family and my co-workers. I loved my job--I helped adults with substance abuse problems. Our pay was in the bottom five percent in our industry--nationwide. We often had to work off the clock before and after our shifts to complete charting and other paperwork--and then management would berate us for it. In three years, the centers clinical staff had seen 400 percent turnover. We wanted to form a union to ensure the best continued care for our patients and adequately support ourselves and our families. Ninety percent of us signed cards supporting the union--and we presented our petition to have an election. That's when management started taking us from our patient care duties to have one-on-one meetings to intimidate people saying that since we wanted a union all raises were frozen. They promised promotions to people who would vote against the union. They fired or forced out many of us who supported the union. people were scared to vote for the union--they didn't want to lose their jobs. Despite management's efforts to intimidate and harass people from supporting the union--we won our election. Right after the election, I received a certified letter saying I had been terminated. I had never had a disciplinary action--I worked hard to provide my patients the best care possible. I was fired for supporting the union. Management refused to recognize the union. They filed objections with the National Labor Relations Board to stall the process. It took another three months for the NLRB to investigate and dismiss the objections. In the meantime, a staff of 120 was down to 80. There were four case managers where there once were 11. Nurses had to work double shifts. Patients were not receiving the care they deserved. Last month, management finally agreed to sit down with workers to negotiate a contract. Workers are still waiting for a date to begin negotiations--management can still continue to stall the process for months. If the Employee Free Choice Act were law, things would have been different--I'd still have a job, we would have had the free choice to form a union without harassment and intimidation from management, and we would have been able to focus on providing our patients the care they deserve.

Sara Steffens, Former Reporter, Media News

These last couple of years has been pretty bad in the newspaper industry. A lot of advertising revenue has dropped off, papers are physically getting smaller. A lot of people have lost their jobs. A little over a year ago a few of us in my newsroom got together and thought maybe if we unionized we could help sort of stabilize the situation in our newsroom, improve moral and maybe be part of this discussion about what is going to happen in our industry. We got cards from about 2/3 of the people in our newsroom. Our employer reacted the way a lot of companies do. They hired an anti-union consultant and began a pretty aggressive campaign basically to scare us into voting against our union. They held a lot of meetings and a lot of employees were called in to meet individually with their bosses. They said all kinds of things that weren't necessarily true they threatened a wage freeze if we voted for the union, they hinted that lay-offs could follow unionization, they even told some people that they would have to schedule their bathroom breaks through their union. It sounds funny now but people do get scared, especially people who get called in over and over again. Right before the vote there was a rumor that if we voted yes there would be a large layoff. Despite all that they did we win our vote and became part of the Newspaper Guild Workers in America. A few weeks later they announced a major layoff it was 29 of the 230 people in our bargaining unit. I was one of those 29 people. I had been the co-chair of the organizing committee. I think it's important that workers feel like they can step up and tackle problems in their workplace and not have to feel afraid that if they speak out, they're going to lose their jobs for it. I feel like it was one of the best things I've ever done was to form this union and I just hope it will be easier in the future for others to have this same feeling.

Theresa Gares, a former New Jersey school bus driver

We're told we're just drivers, we're a dime a dozen...we work hard for our money to support our families. The company refused to give us sick time, we pay \$500 a month for family healthcare. They company said that was all we were going to get. The CEOs make 136B a year. So we decided we wanted to bargain for our rights and for fairness. Once they found out we were organizing a union, they started holding mandatory meetings; we had 6 in two months. They told us the union was going to take all our money and not to do anything for us. ¾ of my co-workers signed to petition for a union, I was part of a group pictured on a pro-union flyer, a month later I was fired, two days later another committee member was fired, the next day another was being threatened. They're just going down the line of union activists and making examples of us. People are scared now, there's no reason to be scared when you stand up for something you believe in. Even with me being fired, I still believe in what we are doing. This is a right we should have.

Alejandro Ramirez, Driver at Genentech

Since I've been identified as a pro-union worker, management has been isolating me from everyone else. I've been forced to take my first break at 8 am, and my lunch later than everyone else, so that I won't be with the rest of the workers. I've been told that I'm forbidden to talk to my co-workers, and forbidden to walk into areas that aren't dispatched, like the kitchen, so that they can monitor who I'm talking to and what I'm doing. They hired a man to follow me around and take pictures of me for a couple of weeks. I told my manager that I knew they were watching me and taking pictures, but he just denied it. When they found that I was doing a good job, the pictures stopped. I have been transferred to another site thirty miles away that is scheduled to close. I feel like I'm being punished for standing up for better wages, working conditions and affordable healthcare for myself and my co-workers.

Asela Espiritu, registered nurse, Kaiser Permanente, Orange County

I work at Kaiser Permanente Medical Center Orange County Irvine, we formed a union at our workplace and when we started campaigning we were able to have a majority sign up agreement within three months. Kaiser decided to be neutral. They even provided conference rooms for nurses and organizers so they could sit down in an environment that was free of intimidation and harassment. Our goal was to provide quality patient care as well as affordable healthcare for workers as well as members. With us being unionized we are on the same page as management about how we can deliver the best care to our patients. Employee Free Choice Act will empower workers of all kinds of industries to become part of the solution to the crisis we have.