



Union Employers Association Supports Employee Free Choice Summary of Bill

<http://www.finishingcontractors.org/files/public/EFCA%20SUMMARY.pdf>

Statement by FCA Board

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FOR IMMEDIATE RELEASE

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VIENNA, Va. – The board of directors of the Finishing Contractors Association voted unanimously to support the proposed federal legislation, the Employee Free Choice Act. (H.R. 800, S. 1041).

In a statement released today and approved by the 13-member board of the all-union contractors' association, the FCA leadership expressed "strong support" for passage of the legislation that would make a change in the National Labor Relations Act to streamline the process for forming a union. It would allow workers to form a union by signing authorization cards, rather than holding secret ballot elections by the NLRB, which then decides whether to certify the union. The proposed legislation would establish stronger penalties for violation of employee rights when workers seek to form a union and provide mediation and arbitration for first contract disputes.

The FCA board of directors says provisions that would eliminate secret ballots are neither new nor revolutionary in the construction industry. According to the FCA statement, in 1959, Congress amended the National Labor Relations Act to allow construction employers and employees to agree to union representation by signing "pre-hire" collective bargaining agreements without a secret ballot.

"Since that time, literally thousands of pre-hire collective bargaining agreements covering millions of construction workers have been negotiated without any serious claim that such a process has been undemocratic," the statement says.

FCA Chairman of the Board, Ed Smith, CEO of Hartman Walsh Painting in St. Louis called the board support "important."

"It is a necessary and important modification to the National Labor Relations Act that does not represent an erosion of important employee rights under the NLRB," Smith said. "If our partner, the International Union of Painters and Allied Trades, is successful in organizing non-union contractors, this can only help our members by leveling the playing field of competition for

union finishing contractors who hire only the most skilled, best trained and safest workers in the construction industry.”

Stuart Binstock, FCA CEO said that the board recognized that a “couple of provisions” in the proposed legislation might be problematic. “But that depends upon the specific language that will appear in the final legislation.”

“We will be particularly mindful of the language in the arbitration provision and we believe there should be language added to prevent this legislation from being used by some unions to unlawfully raid the rightful jurisdiction of the IUPAT,” Binstock said. “FCA’s support is focused on the construction industry—an industry we know quite well. It is not our intent to take a position on how this legislation might affect other industries.”

About FCA

In 1997, union finishing contractors created the Finishing Contractors Association, as they sought to address the unique labor-management and government relations needs of union employers. FCA provides business services, products and educational opportunities to members to help them realize greater value for their companies. All FCA members are signatory to collective bargaining agreements with our labor partner, the [International Union of Painters and Allied Trades](http://www.iupat.org/). <<http://www.iupat.org/>> Most members belong to a local FCA Affiliated Association in the United States or Canada.

Finishing contractors perform painting, glass/glazing, drywall finishing and floor covering projects for general contractors, developers and owners. You’ll find FCA members working on commercial, industrial and large, custom residential projects in the U.S and Canada. They are union contractors because they demand the best quality in workmanship, productivity and safety for their customers. FCA members know they can achieve the best by partnering with a strong labor union, which provides the skilled workers.

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