

THE S I O H

PROTECT THE RIGHTS
OF EMPLOYEES

END UNION – ONLY
PROJECT LABOR
AGREEMENTS (PLAS)

STOP UNION SALTING
ABUSE

COMPREHENSIVE
IMMIGRATION
REFORM

PROTECT THE RIGHTS OF EMPLOYEES

Currently, the preferred method for determining whether or not employees want union representation is a secret ballot election overseen by the National Labor Relations Board (NLRB). The NLRB provides detailed procedures that ensure a fair, confidential election, free of fraud, peer pressure or coercion from union agents or their employers. Yet union leadership now find secret ballot elections an impediment to unionization, preferring “card check” elections, where employees are forced to cast their vote in front of union organizers and fellow employees who support unionization. ABC strongly opposes any effort to overturn the established NLRB procedures that protect the right of employees to a fair union election through secret ballot voting.

- **OPPOSE** the “Employee Free Choice Act” (H.R. 1696), which replaces secret ballot elections with “card check” elections. By supporting this ill-conceived legislation, Members of Congress are essentially robbing millions of American workers of their right to a fair election when determining whether or not employees want union representation.
- **SUPPORT/COSPONSOR** the “Secret Ballot Protection Act” (H.R. 874), sponsored by Rep. Charlie Norwood (R-GA), which would ensure that employees have the right to make their decision regarding unionization in private, confidential, secret ballot votes.

END UNION – ONLY PROJECT LABOR AGREEMENTS (PLAs)

Imposing a union-only PLA on bid specifications limits the number of bidders to only union contractors or those who are willing to become signatory to a union. PLAs discriminate against the vast majority (over 80 percent) of the construction workforce that choose not to join a union, denying them an opportunity to work on projects being paid for by their own tax dollars. President Bush issued Executive Order 13202 prohibiting mandatory PLAs on federally funded and federally assisted construction projects.

- **SUPPORT/COSPONSOR** the “Government Neutrality in Contracting Act” (H.R. 1449), which has been introduced by Rep. John Sullivan (R-OK). This legislation would codify the language of the Bush Executive Order and would apply to all contracts awarded after the date of enactment of the law.
- **SUPPORT/COSPONSOR** the “Government Labor Neutrality Act of 2005” (H.R. 1248), which has been introduced by Rep. Sam Johnson (R-TX). This legislation would amend the National Labor Relations Act to prevent government agencies from requiring or prohibiting employers in the construction industry to enter into agreements with labor organizations.

STOP UNION SALTING ABUSE

“Salting” is the intentional placement of trained union professional organizers in a merit shop facility to harass or disrupt company operations, apply economic pressure, increase operating and legal costs, and ultimately put the company out of business. The objectives of the union agents are accomplished through filing frivolous unfair labor practice complaints or discrimination charges against the employer.

- **SUPPORT/COSPONSOR** the “Truth in Employment Act of 2005” (H.R. 1816), sponsored by Representative Steve King (R-IA). This bill would remove from Section 8(a) of the National Labor Relations Act (NLRA) any requirement that an employer hire any person who is not a bona fide employee applicant, in that such person has sought employment with the primary purpose of furthering another employment or agency status.

PASS COMPREHENSIVE IMMIGRATION REFORM

ABC supports the reforming our country’s broken immigration system in order to facilitate a sustainable workforce for the economy while ensuring our national security and prosperity.

ABC believes any successful reform measure must work to ensure the enforcement of our laws and the security of our borders, but must also include a temporary worker program.

Due to an aging domestic workforce and historical low American birthrates, the construction industry’s labor needs are especially acute. The industry needs approximately 125,000 workers annually to meet growth demands.

ABC envisions a temporary worker program that allows for non-U.S. citizens to apply for the right to work legally in this country for a set period of time. It should also require participants to pay all taxes and other fees. These workers should be held to the same standards as U.S. workers.

ABC supports requiring applicants for a temporary worker program already living in the U.S. to pay an unspecified registration fee and have a sponsoring employer.

ABC is strongly opposed to Davis-Bacon prevailing wage requirements being included in any temporary guest worker program. Davis-Bacon requirements have been shown to inflate the cost of public construction projects anywhere from five percent to 38 percent above what the project would have cost if competitively bid in the private sector. In addition, it also mandates outdated job classifications that ignore the efficient and productive work practices successfully used today by merit shop contractors, who represent over 80 percent of the construction industry.

- **SUPPORT**- a temporary guest worker program that addresses the labor needs of the construction industry as a significant part of comprehensive immigration reform.

SENATE

PASS SMALL BUSINESS HEALTH PLANS (SBHPS)

PERMANENTLY REPEAL THE DEATH TAX

OSHA REFORM

STOP UNION SALTING ABUSE

PROTECT THE RIGHTS OF EMPLOYEES

PASS SMALL BUSINESS HEALTH PLANS (SBHPS)

ABC members and their employees need and deserve access to affordable, quality health benefits. SBHPS would allow ABC members to band together across state lines to purchase health insurance as part of a larger group, thus ensuring greater bargaining power, economies of scale, and lower administrative costs. ABC operated a financially responsible health plan for its members and their employees for more than 40 years. Under this legislation, ABC would not be able to deny access to any applicants, regardless of their medical condition.

This vital legislation passed the U.S. House of Representatives TWICE during the 108th Congress and again during the 109th, and is strongly supported by the President.

- **SUPPORT/COSPONSOR** the "Small Business Health Fairness Act of 2005" (S.1955), sponsored by Senator Mike Enzi (R-WY), which will allow employers to band together across state lines, increasing their purchasing power, improving access to coverage and reducing overall healthcare costs for their employees.

PERMANENTLY REPEAL THE DEATH TAX

ABC strongly supports permanent repeal of the Death Tax. Death tax repeal is pro-family, pro-business and pro-employee, and would help to ensure that businesses could survive for future generations. Eliminating the death tax is the best way to perpetuate family businesses and ensure that they do not need to be liquidated to pay yet another tax. This important piece of legislation was passed by the House of Representatives in April of 2005 with overwhelming bipartisan support, as it restores common sense to the tax code.

More than 70 percent of all family businesses do not survive their second generation and 87 percent do not make it to a third generation.

Death tax repeal also provides job security for employees. When a business is forced to close because it cannot afford to pay death taxes, valuable long-term employees lose their jobs.

- **SUPPORT/COSPONSOR** the "Death Tax Repeal Permanency Act of 2005" (S. 420), sponsored by Senators Jon Kyl (R-AZ) and Bill Nelson (D-FL), which would permanently repeal the death tax.

PASS OSHA REFORM

Over the years, the Occupational Safety and Health Administration (OSHA) has been heavily focused on the number of citations they are issuing, particularly in paperwork violations, rather than focusing their efforts on improved workplace safety. OSHA reform legislation needs to replace the adversarial enforcement model of OSHA regulation with a "partnership" relationship aimed at improving workplace safety and reducing red tape for small businesses and their employees. ABC supports measures, sponsored by Senator Mike Enzi (R-WY), Chairman of the Senate Health, Education, Labor and Pensions Committee, which would bring much needed reform to the OSHA.

- **SUPPORT/ COSPONSOR** the "Occupational Safety Partnership Act" (S. 2065) which would improve workplace safety through voluntary prevention programs, training and compliance assistance. This bill provides a practical approach to addressing the issue of workplace safety by encouraging and assisting employers.

- **SUPPORT/ COSPONSOR** the "Occupational Safety Fairness Act" (S. 2066) which would address citations and the administrative process employers must face when dealing with OSHA. This bill provides small businesses with the flexibility to properly and thoughtfully address OSHA complaints.
- **SUPPORT/ COSPONSOR** the "HazCom Simplification and Modernization Act of 2005" (S. 2067) which would improve the communication of procedures for handling hazard substances. This bill provides a simplification of current hazard communication standards so that employees can take adequate precautions to protect themselves.

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- **SUPPORT/COSPONSOR** the "Truth in Employment Act of 2005" (S.983), sponsored by Senator Jim DeMint (R-SC). This bill would remove from Section 8(a) of the National Labor Relations Act (NLRA) any requirement that an employer employ any person who is not a bona fide employee applicant, in that such person seeks or has sought employment with the employer with the primary purpose of furthering another employment or agency status. The bill further provides that it shall not affect the rights and responsibilities under the Act of any employee who is or was a bona fide employee applicant.

PROTECT THE RIGHTS OF EMPLOYEES

Currently, the preferred method for determining whether or not employees want union representation is a secret ballot election overseen by the National Labor Relations Board (NLRB). The NLRB provides detailed procedures that ensure a fair election, free of fraud, where employees may cast their vote confidentially without peer pressure or coercion from union agents or their employers. Yet union leadership now find secret ballot elections an impediment to unionization, preferring "card check" elections, where employees are forced to cast their vote in front of union organizers and fellow employees who support unionization. ABC strongly opposes any effort to overturn the established NLRB procedures that protect the right of employees to a fair union election through secret ballot voting.

- **OPPOSE** the "Employee Free Choice Act" (S.842), which replaces secret ballot elections with "card check" elections. By supporting this ill-conceived legislation, Members of Congress are essentially robbing millions of American workers of their right to a fair election when determining whether or not employees want union representation.
- **SUPPORT/COSPONSOR** the "Secret Ballot Protection Act of 2005" (S. 1173), proposed by Senator Jim DeMint (R-SC), which would ensure that employees have the right to make their decision regarding unionization in private, confidential, secret ballot votes.