



Legislation Text

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Res. No. 1180

Resolution calling upon the United States Congress to pass S.1041/ H.R. 800, “The Employee Free Choice Act,” which would amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, and to provide for mandatory injunctions and stronger penalties for unfair labor practices during organizing efforts.

By Council Member Addabbo Jr., The Speaker (Council Member Quinn) and Council Members Brewer, Comrie, Dickens, Fidler, Gennaro, Gentile, Gerson, Gonzalez, James, Koppell, Liu, Mealy, Nelson, Palma, Sanders Jr., Weprin, White Jr., Mark-Viverito, Sears and Vacca

Whereas, In 1935, the United States Congress enacted the National Labor Relations Act, which protects the rights of most employees in the private sector to organize labor unions and bargain collectively with their employers through representatives of their own choosing; and

Whereas, The freedom to form or join a union is internationally recognized by the 1948 Universal Declaration of Human Rights as a fundamental human right; and

Whereas, Unions benefit communities by strengthening living standards, stabilizing tax bases, promoting equal treatment and enhancing civic participation; and

Whereas, AFL-CIO statistics indicate that unions help raise workers’ pay and narrow the income gap for minorities and women, by increasing median weekly earnings by 31 percent for union women workers, 36 percent for African American workers, 46 percent for Latino workers and 8 percent for Asian American workers; and

Whereas, According to the Economic Policy Institute, unionized workers are more likely than their non-unionized counterparts to receive paid leave, are approximately 18% to 28% more likely to have employer-provided health insurance, and are 23% to 54% more likely to be in employer-provided pension plans; and

Whereas, According to the AFL-CIO, despite the benefits that union membership offers employees and

their families and communities, workers across the nation are routinely denied the freedom to form unions and bargain for better wages and conditions, with 25 percent of private-sector employers involved in illegally firing at least one worker for organizing campaigns related to union activity; and

Whereas, AFL-CIO data also indicates that 77 percent of the public believes it is important to have strong laws protecting the freedom of workers to make their own decisions regarding the formation of unions, and that 60 percent of workers would join a union if they had the chance; and

Whereas, S.1041, introduced in the United States Senate and sponsored by Senator Edward M. Kennedy, and H.R. 800, introduced in the House of Representatives by Congressman George Miller, jointly referred to as “The Employee Free Choice Act,” would amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, and provide for mandatory injunctions for unfair labor practices during organizing efforts; and

Whereas, The Employee Free Choice Act would also provide stronger penalties for violations committed by employers against employees during any period while employees are attempting to form a union or negotiate a first contract with an employer, and would provide a mechanism for mediation and arbitration where parties are unable to reach an agreement; and

Whereas, In general, the Employee Free Choice Act would safeguard the ability of workers to make their own decisions about forming a union, and establish meaningful penalties when employers violate workers’ rights; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass S.1041/ H.R. 800, “The Employee Free Choice Act,” which would amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, and to provide for mandatory injunctions and stronger penalties for unfair labor practices during organizing efforts.

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