



Asian American  
Hotel Owners  
Association

# VOTE to Protect Your Business

## AAHOA Member Advisory

October 28, 2008

Dear AAHOA Member:

For the past several years, AAHOA has strongly opposed the **EMPLOYEE FREE CHOICE ACT (aka the “Card-Check Bill”)**. If passed, this bill will have a devastating impact on your hotels by taking away an employee’s right to a secret ballot when voting on whether to form a union. Instead, union organizers will ask your employees to sign union cards, and a union will be certified if more than 50% of your employees sign. **If this happens, you will no longer be able to make any independent decisions about the salary or benefits that your employees will receive.**

**This issue falls strongly along party lines, with the Democrats supporting the card-check bill and the Republicans opposing it.** Indeed, the unions have reportedly collected more than \$250,000,000 to ensure that their Democratic candidates, including Senator Obama, are elected, so that the Card-Check Bill can be passed.

It is time for AAHOA members to take a stand and strongly oppose the EFCA. **The results of next week’s elections stand to DIRECTLY affect your business, and AAHOA needs your help. All members are urged to vote on November 4<sup>th</sup>**, particularly in states in which the Senate race is projected to be close, **including Colorado, Minnesota, Mississippi, New Hampshire, Oregon, North Carolina, Louisiana, and Georgia.**

No matter what happens at the polls next week, it is important for AAHOA to send a strong message to our leaders in Congress that **THIS BILL IS WRONG FOR AAHOA, IT IS WRONG FOR THE HOTEL INDUSTRY, and IT IS WRONG FOR OUR COUNTRY.**

Please sign the Open Letter below, and ask your friends and family to sign too, using additional pages as needed. Then, fax this letter back to Managing Attorney Jordan Gillman at (404) 816-2724. Thank you for your continued support of AAHOA and please do not hesitate to contact the AAHOA office with any questions.

Best Regards,

Ashwin “Ash” Patel  
AAHOA Chairman

Tarun S. Patel  
Vice Chairman

Paul Patel  
Government Affairs Chair

Fred Schwarz  
President



## **Open Letter to Members of the U.S. Congress** **In OPPOSITION To The Employee Free Choice Act**

We are signing this open letter as hoteliers and small business owners to urge you to vote **AGAINST** the Employee Free Choice Act, aka the Card Check Bill (H.R. 800/S. 1041). As members of the Asian American Hotel Owners Association (AAHOA), we strongly oppose the Act because it deprives all employees of important rights they have in the workplace.

**The Act will eliminate an employee's right to a federally-supervised private ballot election, and replace it with a "card check" process.** As you are aware, the secret ballot process is a hallmark of American society, and should not be eliminated so that union organizers will have an easier time forming unions in the workplace.

**The Act will create the potential for intimidation and threats if an employee does not want to sign a card to form a union.** Under the card check process, employees will be asked to openly choose their preferences for representation in the workplace in front of union representatives and other employees. The results of each employee's decision will be known to the union representatives, and also to their employers. If an employee does not wish to sign a card, he/she could be pressurized to do so by union organizers or other employees. No employee should ever face intimidation or threats in the workplace for any reason, especially if it is based on the question of whether to form a union.

**The Act will allow a union to be formed very quickly if more than 50% of the employees sign cards.** Under the Act, if more than 50% of employees sign cards, the National Labor Relations Board must recognize the results and certify a union. This means that union organizers could arrive at a place of business on Friday afternoon to collect signatures on the union cards, and a union could be formed by Monday morning if more than 50% of the employees sign the cards -- without the employer or other employees even being aware that a card-signing campaign had been started.

**The Act will allow the Federal arbitration board to make decisions about employment conditions if the employer and the union organizers cannot reach an agreement.** Under the Act, after a majority of employees have signed union cards, there are strict timelines concerning the collective bargaining negotiations. If an agreement cannot be reached, the Federal arbitration board will be authorized to determine the terms of employment and benefits for each employee. The decision of the arbitration board will be binding on the employer for 2 years.

Due to a concern about the impact of this legislation on the American workforce, and the detrimental effects it could have on small business owners and the hotel industry at large, we strongly urge you to **OPPOSE** this legislation, and vote **AGAINST** the Employee Free Choice Act (aka the Card Check Bill).

Thank you for your attention to this very important matter.

AAHOA MEMBER NAME: \_\_\_\_\_  
CITY, STATE: \_\_\_\_\_  
PHONE/EMAIL: \_\_\_\_\_  
SIGNATURE: \_\_\_\_\_

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CITY, STATE: \_\_\_\_\_  
PHONE/EMAIL: \_\_\_\_\_  
SIGNATURE: \_\_\_\_\_



### **Key Components Of The Card Check Bill (H.R. 800/S. 1041):**

- Amends prior law to remove an employee's right to secretly vote on the question of forming a union in his/her workplace;
- Amends prior law to allow union organizers to ask employees to openly sign cards in their workplace if they want to form a union;
- Amends prior law to make it easier for small businesses to become unionized;
- Amends prior law to require that employers, and the National Labor Relations Board (NLRB), immediately recognize the results of a card check campaign;
- Provides that the NLRB will certify the union if a majority of employees have signed these cards;
- Requires that collective bargaining negotiations must begin within 10 days of certification;
- Provides for intervention by the Federal Mediation and Conciliation Service (FMSC) if an agreement is not reached after 90 days of bargaining;
- Provides for referral to the Federal arbitration board if agreement cannot be reached within 30 days after FMSC intervention;
- Makes the decision of the arbitration board binding for 2 years;
- Affords priority to allegations of unfair labor practices by employers during an organization drive, and requires the NLRB to seek injunctions against employers;
- Increases the remedies for such unfair practices;
- Increases back pay restitution; and
- Provides a \$20,000 civil penalty for the employer for each violation.