



**Urgent Member Alert:**  
**Time is Running Out to  
Defeat the Employee Free  
Choice Act!**

**AAHOA**  
**Member Advisory**

**September 26, 2008**

Dear AAHOA Member,

By now you have received several Member Alerts and seen several ALB articles voicing **AAHOA's continuing strong opposition to the mis-named "Employee Free Choice Act" (EFCA)**, otherwise known as the card-check bill. You have learned of this bill's potentially disastrous effects for small businesses everywhere, and the threat it poses to the ability of workers to vote their consciences.

Although opinions on union issues usually track party lines, even such reliable liberals as former Vice presidential candidate George McGovern have come out in opposition to this bill. According to John Motley of the National Review, "the unusual alliance of left and right opposing this undemocratic power grab of a bill derives from a shared support for a cornerstone of our democracy—the right to a secret ballot and the right to keep private how one chooses to vote."

Recently described by Senator Mike Enzi (R-WY) as "a blueprint for the most unwarranted change in employee and management relations in over half a century," **the card-check bill is still very much alive in Congress, and very much a threat to the interests of small businesses everywhere, including YOUR hotels.** Although the bill passed in the House last year, it has never collected enough support to pass in the Senate. **With the Senate targeted to adjourn TODAY, September 26, 2008,** it is critical that the card check bill not be allowed to pass in the last minute rush. We urge all members to contact their elected representatives in the Senate and the House of Representatives to voice their opposition to this bill.

**In addition, please be advised that the American Hotel and Lodging Association (AH&LA) has launched a major fundraising effort to defeat this problematic piece of legislation.** Proceeds will be used to support the Coalition for a Democratic Workplace (CDW), of which AAHOA is a Steering Executive Committee member. Contributions may be from personal, corporate or partnership funds, payable to the "AH&LA Legislative Readiness Fund" and mailed to the American Hotel & Lodging Association (c/o Marlene Colucci, 1201 New York Ave., NW, 6<sup>th</sup> floor, Washington, D.C. 20005-3931. You may also pay by credit card online at <http://www.ahla.com/genericform.aspx?ekfrm=22474>.

**To contact your Senator,** please visit AAHOA's online advocacy center at <http://www.capitolconnect.com/aahoa/default.aspx>. There, you will be able to send a letter to your elected representatives, or download talking points to use if you would

prefer to contact them by phone. Please contact Managing Attorney Jordan Gillman at (404) 419-8983 or [jordan@aahoa.com](mailto:jordan@aahoa.com) with any questions.

**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.