



Catholic Scholars for Worker Justice

www.catholicscholarsforworkerjustice.org

Sign-on Statement in Support of the Employee Free Choice Act

We speak as scholars who are committed to Catholic Social Teaching concerning the human right of workers to organize employee unions. The Magisterium of the Catholic Church recognizes “*the fundamental role played by labor unions, whose existence is connected with the right to form associations or unions to defend the vital interests of workers employed in the various professions.*” Indeed, the Catholic Church holds that unions “are a positive influence for social order and solidarity, and are therefore an *indispensible element of social life.*” Because Catholic teaching is based on natural law, we believe the Church’s teachings have relevance not only to Catholic institutions but also to the broader civil society. Specifically, we hold the following:

*** The present legal and moral framework that is intended to assist workers to form unions is badly broken.** Workers who seek to form unions are routinely met with employer resistance to their right to organize. Many employers intimidate, ostracize, or fire union organizers, deny free speech to workers on the job, threaten the loss of jobs and benefits, and hire “union avoidance” firms that – despite employers’ protests to the contrary – actively seek to *prevent* union elections from taking place at all. Present labor law is so weak that when elections actually take place many employers *ignore* the results with little impunity and when employers *do* bargain it can take years to reach a first contract, if at all.

*** There is an a priori presumption for unions in Catholic Social Teaching.** Catholic teaching states that the right to organize unions is based on the human right of freedom of association that is found in the natural law. The right to organize belongs to the workers alone and cannot be abridged or annulled by civil or ecclesiastical authorities. The method or venue that workers choose to form a union is *also* their choice: workers may say yea or nay, stand or sit, sign statements or cards, or hold a secret ballot election. The right of workers to freely choose unions necessarily involves their right to decide how they shall decide for or against a union.

*** The Employee Free Choice Act (EFCA) is rooted in and supported by Catholic Social Teaching.** The EFCA would: (1) Recognize the right of workers to join a union through filing signed cards – know as “card check” -- that state their decision to form a union; (2) mandate mediation and arbitration if a first contract cannot be negotiated within the first 90 days; (3) impose stronger penalties on employers that violate workers’ rights. Workers can also choose a secret ballot election *if that is their choice*. These provisions strongly reflect the Catholic position that the decision to form or join unions is *always* the workers’ choice. Most importantly, the workers’ decision to unionize must *not* meet with hostility or resistance from employers.

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