

Employee Free Choice Act Could Change Labor Relations Landscape

Miller Canfield Offers Seminars to Discuss Impending Act

December 9, 2008

With Democrats in control of the White House and Congress, organized labor confidently predicts that the Employee Free Choice Act will be a top 2009 domestic priority of the Obama Administration.

Passed by the House in 2007 but stalled in the Senate, the Act would make union organization much easier and faster, would probably make bargaining a first contract harder, and could dramatically change the labor relations landscape for private sector employers. While it is impossible to predict the form in which it would pass, observers expect new labor-friendly law--affecting any private sector employer that is union-free or partially-unionized--to pass Congress fairly early next year.

In light of this, Miller Canfield's Labor and Employment Group will present seminars throughout Michigan to help employers understand the possible ramifications of the legislation, and to suggest steps to prepare in the event it becomes law.

As it passed the House, the EFCA would amend the National Labor Relations Act in a number of ways: first, the National Labor Relations Board would be required to certify and recognize a union based simply on the majority of employees signing card authorizations without a secret ballot election. Second, if the parties failed to reach agreement in the first contract negotiations within 90 days, either party would have the right to request mediation. If mediation failed, an arbitrator would determine the contract terms, which would be binding for two years. Finally, civil penalties and remedies for violations of the NLRA would be greatly increased--triple back pay to affected employees in some cases, injunctions in others and substantial fines for willful or repeated violations of employee rights during a union organization drive.

Miller Canfield Free Choice Act Seminars

There is no way to predict when the legislation will pass or what changes it will make in current federal labor law, but we will keep you informed of developments with regular e-updates. The seminar schedule is:

Troy (Somerset Inn) - Thursday, January 8

Saginaw (Sheraton Four Points) - Tuesday, January 13

Ann Arbor (Kensington Court) - Wednesday, January 14

Detroit (Book Cadillac) - Thursday, January 15

Kalamazoo (Radisson) - Thursday, January 22

Lansing (Radisson) - Thursday, January 22

Continued

Grand Rapids (Amway Grand) - Wednesday, January 28

The seminars begin with registration and continental breakfast at 7:30 a.m. and include seminar materials, with presentations from 8:00 a.m. to 10:00 a.m. Cost is only \$25 per person.

For further information, contact;

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