

Opinion

## Specter's switch could force businesses to close

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As a Pennsylvania business owner, I was stunned by Sen. Arlen Specter's sudden U-turn over his position on the Employee Free Choice Act (EFCA), or "card check" legislation, that robs workers of their fundamental American right to a secret-ballot election, allows a federal government arbitrator to dictate the terms of the union contract and, which studies have shown, could cause severe unemployment in our state.

During a liberal bloggers convention in Pittsburgh in August, Specter told the audience that he would vote in support EFCA.

Contrast that to a public statement Specter made in March on the Senate floor, where he said he would vote against the legislation.

Talk about a complete reversal.

Here is what is at stake.

EFCA would effectively eliminate a worker's fundamental American right to a secret-ballot election when deciding whether to join a union.

Under this "card check" provision, employees would be forced to indicate their choice of whether to join a union by signing a card in front of co-workers and union organizers, opening the door to coercion and intimidation and depriving them of the freedom to make an honest, private decision.

Current law requires that both the union and employer bargain in good faith after a union is certified.

However, under EFCA, if both parties have not reached agreement after 120 days, the union can call for mandatory, binding arbitration.

A federal government arbitrator would then decide the terms of the contract for the first two years, including wages, benefits and working conditions.

That's right, government arbitrators with no knowledge of my company or the construction industry would dictate terms and conditions about wages, benefits and workplace conditions.

Neither the employees nor I would have the opportunity to approve or appeal this decision.

That is certainly unfair to me as a business owner, and I'm sure workers who get forced into contracts that they didn't get to vote on wouldn't be too happy, either.

These government arbitrators could also force newly unionized firms into underfunded union pension plans. A new study by

Diana Furchgott-Roth of the Hudson Institute revealed that union pension plans perform worse than nonunion plans, which is one of the key reasons why unions want EFCA to be passed.

According to Andy Stern, head of the Service Employees International Union, EFCA would add 1.5 million more dues-paying members each year to help fund these failing pension plans.

Under EFCA, if Gorski Engineering was forced into joining one of these underfunded union pension plans, my company could be held liable for the pension plans of other employers if they go out of business, putting my company in a risky financial position.

In addition, EFCA could cost up to 600,000 American jobs in the first year alone with millions more job losses to come, according to a study by Anne Layne-Farrar, an economist from the nonpartisan firm LECG consulting.

In light of this study, many Pennsylvania businesses would likely close their doors and workers would be unemployed if EFCA became law.

That is unacceptable.

With many businesses in the state already struggling in this economy, I don't understand how Specter can justify his surprising reversal on this reckless legislation.

He needs to answer to Pennsylvania workers and businesses that stand to lose if this bill becomes law.

Jerry Gorski is president of Gorski Engineering in Collegeville and the 2009 national chairman of Associated Builders and Contractors.

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