

**SENATE CONCURRENT RESOLUTION NO. 4033**

Introduced by

Senators Stenehjem, Andrist, Freborg

Representatives Carlson, Dosch, Thoreson

(Approved by the Delayed Bills Committee)

1 A concurrent resolution urging the North Dakota Congressional Delegation and the Congress of  
2 the United States to support worker freedom by opposing the federal Employee Free Choice  
3 Act and any of the Act's related components.

4 **WHEREAS**, the right to a private secret ballot when voting on external representation is  
5 fundamentally inherent in our representative republic and may not be infringed upon; and

6 **WHEREAS**, passage of the federal Employee Free Choice Act would replace a  
7 federally supervised private ballot election with a system that facilitates coercion and  
8 intimidation, known as "card check", whereby employees publicly sign cards to vote for  
9 unionization; and

10 **WHEREAS**, 79 percent of Americans support a worker's right to a federally supervised  
11 secret ballot election when deciding whether to join a union; and

12 **WHEREAS**, 77 percent of Republicans, 82 percent of Democrats, and 79 percent of  
13 independents believe in protecting private ballots; and

14 **WHEREAS**, the federal Employee Free Choice Act's mandatory binding arbitration  
15 provisions deny workers the right to participate in the collective bargaining process between  
16 employees and the union; and

17 **WHEREAS**, in recent years the vast majority of businesses targeted by union  
18 organizing campaigns have been small businesses with 50 or fewer employees; and

19 **WHEREAS**, small businesses are more likely to be held captive at the will of union  
20 organizing efforts as small businesses have less resources available for the lengthy legal  
21 process of union recognition campaigns; and

22 **WHEREAS**, efforts to eliminate private elections are an attack on the free speech rights  
23 of businesses' and workers' individual rights; and

24 **WHEREAS**, North Dakota is a right-to-work state;

1           **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE**  
2   **HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

3           That the Sixty-first Legislative Assembly urges the North Dakota Congressional  
4   Delegation and the Congress of the United States to support worker freedom by opposing the  
5   federal Employee Free Choice Act and any of the Act's related components; and

6           **BE IT FURTHER RESOLVED**, that the Sixty-first Legislative Assembly expresses  
7   opposition to "card check" legislation such as the federal Employee Free Choice Act, finding  
8   such legislation is detrimental to the rights of workers and is an offense against democratic  
9   principles; and

10          **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this  
11   resolution to the Majority Leader of the United States Senate, the Speaker of the United States  
12   House of Representatives, the United States Department of Homeland Security, and to each  
13   member of the North Dakota Congressional Delegation.