

Sixty-first  
Legislative Assembly  
of North Dakota

## HOUSE CONCURRENT RESOLUTION NO.

Introduced by

Representative Kasper

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**, tripartisan agreement to oppose the federal Employee Free Choice Act is  
13 overwhelming, with 77 percent of Republicans, 82 percent of Democrats, and 79 percent of  
14 independents believing in protecting private ballots; and

15 **WHEREAS**, in July 2002, before a United States House of Representatives  
16 subcommittee, a union employee testified that those who would not vote for a union in a public  
17 "card check" program were threatened with termination, deportation, and loss of 401(k) and  
18 health benefits; and

19 **WHEREAS**, the chairman of the United States House of Representatives Education and  
20 Labor Committee, House of Representatives George Miller (D-California), a staunch supporter  
21 of the American "card check" bill, sent a letter to Mexican government officials which stated "...  
22 we feel that the private ballot is absolutely necessary in order to ensure workers are not  
23 intimidated into voting for a union they may otherwise not choose"; and

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

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

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

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

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