

Practical Effects of the Proposed Employee Free Choice Act on Labor – Management and Employee Relations

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Overlooked in the hue and cry generated over so-called "card check" unionization in the private sector, are equally if not more troublesome features of the proposed Employee Free Choice Act. While, to be sure, risks of coerced card-signing and potential fraud are magnified by a selection process involving mere card signing, as opposed to a government-run secret ballot election, the more significant upset to labor-management relations surfaces in the realm of "what happens next?"

Thus, while the seemingly undemocratic process of card-check has resonated with the general public as the principal criticism of the EFCA, less trumpeted has been one additional revolutionary feature of the EFCA which tilts the historical "playing field" dramatically. This proposed change, if enacted, will substantially impact the relationships amongst employers, unions and employees.

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