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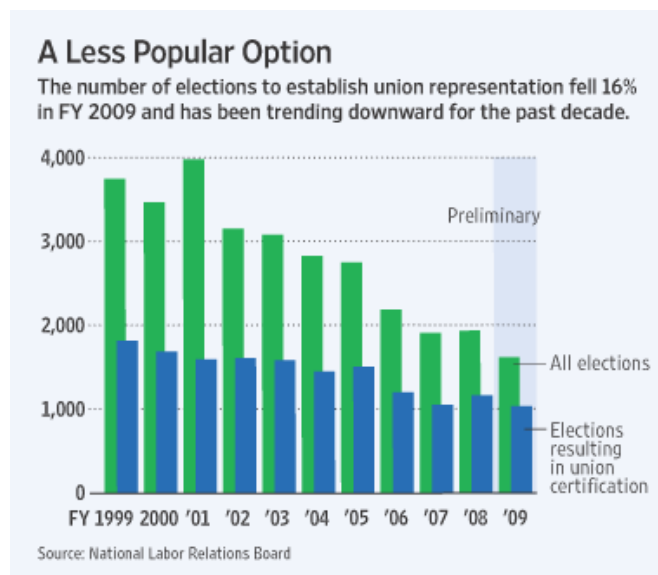
## Card Check Grows in Union Organizing

By KRIS MAHER

Even as union leaders press for card-check legislation in Washington, more local unions already are turning to the controversial method of organizing -- and making some gains.

Current law allows unions to organize workers by having them check a box on a card, as opposed to holding an election, if a company approves. Unions are pushing hard for a law, the Employee Free Choice Act, that would allow card check without an employer's sign-off, a measure that many large employers and business lobbying groups oppose.

New statistics suggest card check is the preferred method of organizing. The number of unionization elections in the U.S. fell 16% in the year ended Sept. 30, continuing a long-term trend, according to preliminary data from the National Labor Relations Board, which administers elections.



Labor experts say elections are less efficient for unions than in 1935 when the National Labor Relations Act, spelling out the election process, was passed, and when companies had large single plants with several thousand employees. Today, plants are smaller and companies more decentralized, so it is harder to organize large groups. Unions and employers often wrangle over whether telecommuters, temporary workers and workers classified as independent contractors are eligible to vote in an election.

As companies have become effective in campaigning against unions, the elections have also become more drawn out. The United Food and Commercial Workers

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recently won an election to represent 5,000 workers at Smithfield Foods Inc. after a 15-year campaign.

The Employee Free Choice Act would also accelerate the election process in cases in which card check isn't used.

Business groups say the election process works fine and point to the union win rate as an indication. Even though they are holding fewer elections, unions are winning more of them -- 63.8% compared with 60% a year earlier.

"Clearly if the system were broken, they wouldn't win the majority of elections," said Michael Eastman, executive director of labor policy for the U.S. Chamber of Commerce.

Business groups said they expected a drop in elections because unions increasingly favor the card-check method. Unions say 80% of organizing is done through that method.

Many unions aren't pursuing elections because if they lose, they can't hold another election for a year. Unions also say they are holding fewer elections because they are more focused on trade cases against imports, which they say will save jobs, and lobbying for the card-check legislation and a health-care overhaul.

The Employee Free Choice Act has stalled in Congress, though several Democratic lawmakers recently said they could still pass a version this year.

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