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Catholic groups among those squaring off on union bill

by Alice Popovici



Sen. Tom Harkin, D-Iowa, right, and Rep. George Miller, D-Calif. take part in a news conference on Capitol Hill in Washington March 10 to announce the introduction of the Employee Free Choice Act. (AP Photo/Susan Walsh)

Catholic activists supporting the Employee Free Choice Act -- the labor movement's top legislative priority in Congress -- say the bill is rooted in church social teaching inspired by papal encyclicals dating back more than a century. The measure is needed, say supporters, to counteract management efforts to stymie employee organizing efforts and to boost worker wages and benefits.

But those who oppose key components of the bill, including some major Catholic institutions, argue that the legislation would encourage labor organizers to bully potential members into union membership by denying workers secret-ballot elections.

The focus of the debate is a provision in the free choice act that would require the National Labor Relations Board to certify a union if a majority of employees in a bargaining unit sign a petition, or

card, indicating their support for the effort. If an agreement between management and labor has not been reached within 120 days of certification, the parties would be required to bring negotiations to an arbitration board for settlement.

Members of the business community who oppose the legislation argue that in addition to depriving workers of their right to a secret-ballot election, the new provisions would subject them to possible pressure by peers and union organizers. But supporters of the bill say the current system is weighted in favor of employers, who can, with little or no penalty, leverage intimidation against employees trying to organize a union.

This is about leveling the playing field and making sure that workers can have a fair stake in our economy, said Chris Korzen, executive director of Catholics United, an organization supporting the bill. Proponents of the bill note that unionized workers earn considerably more than their non-union counterparts and are much more likely to have employer-provided health insurance.

Sister of Charity Carol Keehan, president and CEO of the 2,000-plus-member Catholic Health Association, said the measure would tilt the system in favor of unions, making employees satisfied with their current workplace rights subject to coercion. Signing a card or a petition still has you publicly having to declare your choice, Keehan said. We believe strongly -- it's the consensus of our [members] -- that choice needs to be protected by secret ballot, she said.

Keehan's comments were echoed by Carol Aaron, vice president of labor and employee relations at St. Joseph Health System, which owns and administers 14 hospitals in California, Texas and New Mexico. We're pro-employee, Aaron said of the organization, and in keeping with Catholic social teaching, committed to creating a workplace that is free of intimidation and coercion. But she added that St. Joseph, which won a Gallup Great Workplace Award last year and has a 20-year history of union representation, is concerned that the free choice act would threaten employees' democratic right to a secret-ballot election.

Both the Catholic Health Association and the U.S. Conference of Catholic Bishops have not officially taken a stand on the bill. The measure is opposed by a broad coalition of business groups, including the National Association of Manufacturers and the Chamber of Commerce.

This is the mother of all battles, said Joseph Fahey, professor of religious studies at Manhattan College in New York and chair of Catholic Scholars for Worker Justice. The legislation has strong foundations in Catholic social teaching dating back to Pope Leo XIII's *Rerum Novarum* of 1891, he said. Capital doesn't create work -- work creates capital, Fahey said, and the purpose of unions is to empower workers and secure their rights, including the right to a living wage.

Fahey described the Employee Free Choice Act as the most important labor legislation since the 1935 Wagner Act, furthering a tradition of Catholic involvement in the labor movement that began with the Knights of Labor in the 1880s and continued with the work of Cardinal James Gibbons of Baltimore, who was instrumental in gaining the support of the Catholic church for the union movement in the United States. In 1919, Fr. John A. Ryan, another influential figure, wrote the U.S. bishops' Program of Social Reconstruction, a document considered radical for its time in arguing support of labor unions, health care, workers' compensation and equal pay. The Catholic church really jumped to the forefront of progressive thought on the rights of workers, Fahey said.

Opponents of the Employee Free Choice Act are trying to act as if this is a whole new ball game -- it's not, he said, adding that the much-debated majority card-check option existed as a provision in the original Wagner Act. That was the practice, and unions spread like wildfire, understandably, until the

card-check option was curtailed by the Taft-Hartley Act of 1947, giving employers the right to demand a secret-ballot election.

Joseph McCartin, professor of American history at Georgetown University in Washington and a member of Catholic Scholars for Worker Justice, said union membership has seen steady erosion since its peak in the 1950s, and attributes the decline in large part to the industrial restructuring that led steel mills and auto-manufacturing plants to downsize in the early 1970s.

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“When the economy started to turn in a direction that favored employers, after 1973, they decided to exploit [the situation],” threatening workers and leveraging their influence on union elections.

McCartin said that in the current economic climate better wages and benefits for workers would benefit the country as a whole. “It’s the purchasing power from the masses of people that is the key economic motor,” he said. But when wages aren’t keeping up with rising prices, “wealth grows at the top and stagnates at the bottom,” an economic trend that’s dominated the last 10 years.

“Now I think that people are starting to see again that a healthy capitalist economy requires a strong government presence, and workers having more leverage with employers,” McCartin said.

A Bureau of Labor Statistics report released in January shows the union membership rate at 12.4 percent in 2008, down from 20.1 percent in 1983, the first year for which comparable figures are available. But membership has seen an increase in the past two years, from 12.1 to 12.4 percent (428,000 workers) in 2008, after a rise of .1 percent (311,000 workers) in 2007.

The Employee Free Choice Act was introduced early last month in both the House and Senate. In late March, a key swing vote, Republican Sen. Arlen Specter of Pennsylvania, said he would oppose the bill if it reached the Senate floor for a vote.

Alice Popovici is an NCR contributor who writes from the Washington area.

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