

1 SENATE JOINT MEMORIAL 24

2 48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

3 INTRODUCED BY

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10 A JOINT MEMORIAL

11 URGING THE NEW MEXICO CONGRESSIONAL DELEGATION TO SUPPORT THE
12 FEDERAL EMPLOYEE FREE CHOICE ACT.

13
14 WHEREAS, in 1935 the United States established by law that
15 workers must be free to form unions; and

16 WHEREAS, the free choice to join with others and bargain
17 for better wages and benefits is essential to economic
18 opportunity and good living standards; and

19 WHEREAS, unions benefit communities by strengthening
20 living standards, stabilizing tax bases, promoting equal
21 treatment and enhancing civic participation; and

22 WHEREAS, states in which more people are union members are
23 states with higher wages, better benefits and better schools;
24 and

25 WHEREAS, unions help raise workers' pay and narrow the

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1 income gap for minorities and women by increasing median weekly
2 earnings by thirty-one percent for union female workers,
3 thirty-six percent for African American workers, forty-six
4 percent for Latino workers and eight percent for Asian American
5 workers; and

6 WHEREAS, workers are also more likely to have health
7 coverage and guaranteed defined-benefit pensions in union jobs;
8 and

9 WHEREAS, eighty percent of private-sector union workers
10 have employer-provided health insurance compared with only
11 forty-nine percent of nonunion workers and sixty-eight percent
12 of union workers have defined-benefit pension plans compared
13 with fourteen percent of nonunion workers; and

14 WHEREAS, workers across the nation are routinely denied
15 the freedom to form unions and bargain for a better life, with
16 twenty-five percent of private-sector employers illegally
17 firing at least one worker for union activity during organizing
18 campaigns; and

19 WHEREAS, seventy-seven percent of the public believes it
20 is important to have strong laws protecting the freedom of
21 workers to make their own decisions about having a union, and
22 sixty percent of workers would join a union if they had the
23 chance; and

24 WHEREAS, employers often refuse to bargain fairly after
25 workers form a union by dragging out first-contract bargaining

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1 for up to two years in forty-five percent of successful
2 campaigns; and

3 WHEREAS, each year millions of dollars are spent to
4 frustrate workers' efforts to form unions, and ninety-two
5 percent of private-sector employers force employees to attend
6 mandatory anti-union meetings; and

7 WHEREAS, when the right of workers to form a union is
8 violated, wages fall, race and gender pay gaps widen, workplace
9 discrimination increases and job safety standards disappear;
10 and

11 WHEREAS, a worker's fundamental right to choose a union
12 without coercion and intimidation is a public issue that
13 requires public policy solutions, including legislative
14 remedies; and

15 WHEREAS, the federal Employee Free Choice Act received
16 majority support in both houses of congress in 2007 but was
17 defeated by a minority of senators; and

18 WHEREAS, the Employee Free Choice Act will safeguard
19 workers' rights to make their own decisions about forming a
20 union, provide for first-contract mediation and arbitration and
21 establish meaningful penalties when employers violate workers'
22 rights;

23 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
24 STATE OF NEW MEXICO that it support the Employee Free Choice
25 Act, which would authorize the national labor relations board

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1 to certify a union as the bargaining representative when a
2 majority of employees voluntarily signs authorization cards
3 designating that union to represent them; and

4 BE IT FURTHER RESOLVED that the legislature of the state
5 of New Mexico provide for first-contract mediation and
6 arbitration and establish meaningful penalties for violations
7 of a worker's freedom to choose a union; and

8 BE IT FURTHER RESOLVED that the legislature of the state
9 of New Mexico urge congress to pass the Employee Free Choice
10 Act to protect and preserve for America's workers their freedom
11 to choose for themselves whether or not to form a union; and

12 BE IT FURTHER RESOLVED that copies of this memorial be
13 transmitted to the New Mexico congressional delegation and to
14 the governor.