

## RESOLUTION NO. 14-09

### RESOLUTION ENDORSING THE EMPLOYEE FREE CHOICE ACT

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**WHEREAS**, the freedom to form or join a union is recognized as a fundamental human right, and

**WHEREAS**, in the National Labor Relations Act of 1935 (29 U.S.C. Sec. 151 et seq.) the United States Congress declared it to be the policy of the United States to encourage the practice of collective bargaining by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection; and

**WHEREAS**, union membership provides workers with better wages, improved benefits, and protection from discrimination and unsafe workplaces; and

**WHEREAS**, unions benefit communities by moving families out of poverty, creating economic security, strengthening tax bases, promoting equal treatment, and enhancing civic participation; and

**WHEREAS**, unions helped to build the middle class in this country and to establish basic working standards that benefit all workers, such as the 8-hour day and the right to a lunch break and over-time pay; and

**WHEREAS**, workers who belong to labor unions earn, on average, thirty percent more than non-union workers and are 59 percent more likely to have employer-provider health coverage and four times more likely to have retirement pensions, and

**WHEREAS**, Richmond working families are financially stressed, their resources shrinking, their lives, health, homes, jobs and schools being lost as results of decades of policies and actions by irresponsible corporate-controlled governments, and

**WHEREAS**, the seriousness of the current economic crisis makes it more important than ever for workers to bargain collectively for a better life, and the best opportunity to rebuild the middle class and put workers on the right track is through giving workers the power to bargain collectively, and a worker's fundamental right to join a union is essential to rebuilding our economy and revitalizing our middle class; and

**WHEREAS**, fifty-seven million United States workers have indicated that they would join a union tomorrow if given the opportunity; and

**WHEREAS**, the current National Labor Relations Board elections process is company-controlled and fosters interference from management and employers who often intimidate, harass, coerce and even fire workers who try to form unions and bargain for economic well-being, and corporations systematically deny workers' freedom to form and join unions and spend hundreds millions of dollars to frustrate workers' efforts to organize; and

**WHEREAS**, under today's broken labor relations laws, working people are powerless to bargain for better wages, while CEOs continue to rake in record profits, underscoring the need of new policies that protect workers and their right to organize, and

**WHEREAS**, each year, more than 20,000 American workers are illegally threatened, coerced, or terminated for attempting to form a union; and current labor law is so toothless that penalties against companies that violate the law are virtually non-existent; and

**WHEREAS**, when the freedom of workers to form a union is violated, wages decline, race and gender pay gaps widen, workplace discrimination increases, and job safety standards lapse; and

**WHEREAS**, the current system has failed workers and must be reformed to ensure that all workers have the freedom to choose whether or not to join a union free from management threats and intimidation; and

**WHEREAS**, nearly four in five (78%) Americans favor legislation that would make it easier for workers to bargain with their employers according to recent research from Peter Hart Associates; and

**WHEREAS**, Federal legislation known as the Employee Free Choice Act will be introduced this year in the United States Congress would level the playing field and restore the freedom to form unions and bargain for better wages and benefits, by allowing workers to join a union if the majority wants one, increase penalties for companies that abuse workers who are exercising their freedom to form unions and bargain collectively; and

**WHEREAS**, it is imperative for the greatness of our City, State and Nation that the freedom to organize labor unions be restored and expanded, and

**THEREFORE BE IT RESOLVED** that the Richmond City Council fully supports the Employee Free Choice Act, and requests the Congress of the United States to enact federal legislation that would protect and preserve the freedom of America's workers to organize and join unions by establishing meaningful penalties for violations of a worker's right to join a union, authorizing the National Labor Relations Board to certify a union by majority sign-up and providing for first contract mediation and arbitration., and

**THEREFORE BE IT ALSO RESOLVED** that the Richmond City Council appreciates the leadership of Representative George Miller, Chairman of the House Education and Labor Committee to advance the Employee Free Choice Act to a successful resolution, and

**THEREFORE BE IT ALSO RESOLVED** that the Richmond City Council requests that the Richmond City Managers sends copies of this resolution to the President of the United States, Barack Obama, to California Senators Diane Feinstein and Barbara Boxer, to Representative George Miller as well as to the City Council of each City in the State of California.

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I certify that the foregoing resolution was adopted by the Council of the City of Richmond at a regular meeting held on March 3, 2009, by the following vote:

AYES:	Councilmembers Bates, Butt, Rogers, Ritterman, Viramontes, Vice Mayor Lopez, and Mayor McLaughlin.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	None.

DIANE HOLMES  
Clerk of the City of Richmond  
(SEAL)

Approved:

GAYLE McLAUGHLIN  
Mayor

Approved as to form:

RANDY RIDDLE  
City Attorney

State of California            }  
County of Contra Costa        } : ss.  
City of Richmond               }

I certify that the foregoing is a true copy of Resolution No. 14-09, finally passed and adopted by the Council of the City of Richmond at a meeting held on March 3, 2009.