

House of Representatives
The Twenty-Fifth Legislature
Regular Session 2009

Committee on Labor & Public Employment

Rep. Karl Rhoads, Chair
Rep. Kyle Yamashita, Vice Chair

DATE: Friday, March 20, 2009
TIME: 9:30 a.m.
PLACE: Conference Room 309

**TESTIMONY OF THE UNITED PUBLIC WORKERS, AFSCME, LOCAL 646, AFL-CIO
ON SB 1621, SD2, RELATING TO COLLECTIVE BARGAINING**

My name is Dayton M. Nakanelua, state director of the United Public Workers, AFSCME, Local 646, AFL-CIO (UPW). The UPW currently represents approximately 8,700 blue collar, non-supervisory employees and 2,800 institutional, health, and correctional workers in the State of Hawaii and the various counties. We also represent approximately 3,000 retired members currently receiving benefits under chapter 87A.

UPW strongly supports SB 1621, SD2. which allows for certification of union representation through card check authorization; provides for first time contract mediation and binding arbitration; provides a union representation privilege; sets civil penalties for unfair labor practices; and allows labor disputes to be defenses against prosecution for certain violations.

There is something fundamentally wrong with our labor economy. Despite worker productivity rising more than 75% over the past 35 years, inflation-adjusted wages of these workers are still lower than in 1973 (*Economic Report of the President: 2008 Spreadsheet Tables*). There is no

mystery to this inequity: wage stagnation is directly correlated to the long-term decline in union membership. When America's middle class was at its peak, the percentage of union workers was also at its highest. Today membership has dropped to eight percent of the private sector workforce as our economy continues its recessionary decline.

The National Labor Relations Act (NLRA) was enacted to protect the rights of workers to form unions and to bargain for better wages and benefits. Over time, the law has been seriously perverted. The NLRB now serves as a tool for corporations to frustrate workers' freedom to choose and deny their right to collective bargaining. The data is well documented: 25% illegally fire workers for union activity during organizing campaigns; 75% hire union-busters to fight organizing drives; 78% force workers to attend one-on-one meetings; and 92% force employees to attend closed-door meetings against the union (*Kate Bronfenbrenner, Uneasy Terrain*).

This bill levels the playing field by ending the corporate intimidation, retaliation, and delaying tactics which prevent workers from their fundamental and democratic rights. This bill along with the national Employee Free Choice Act are part of a strategy for American economic revival to restore and grow the middle class. For all these reasons, we urge the passage of SB 1621, SD2.