



**Statement by the Council of the American Sociological Association  
On the Employee Free Choice Act**

**August 12, 2009**

The freedom to form or join a union is internationally recognized by the 1948 Universal Declaration of Human Rights as a fundamental human right, and the internationally respected organization Human Rights Watch has identified the proposed *Employee Free Choice Act* (EFCA) as a human rights imperative. Federal labor laws established in the United States in 1935 protecting workers' rights to unionize, however, have eroded over the years and are poorly enforced.

Union membership provides workers with better wages and benefits and protection from discrimination and unsafe workplaces, while also benefiting whole communities by strengthening tax bases, promoting equal treatment and enhancing civic participation. Public opinion polls indicate that a majority of U.S. workers say they would join a union now if they had an opportunity. Employers across the nation have been shown to routinely violate workers' rights to unionize through surveillance, interrogation, harassment, intimidation, coercion, harassment and discharge of workers exercising this fundamental freedom. When employers violate the rights of workers to form a union, everyone suffers: wages fall, race and gender pay gaps widen, workplace discrimination increases and job safety standards disappear.

Nothing in the proposed EFCA alters the rights of employers to provide information on unionization to their employees. However, a worker's fundamental right to choose a union must be guaranteed by law.

The Council of the American Sociological Association (ASA) supports bipartisan legislation introduced in Congress that will give employees the choice to form a union by majority sign-up (commonly known as "card check") or secret ballot, provide for first contract mediation and arbitration, and establish meaningful penalties when employers violate workers' rights to join a union. The ASA Council urges Congress to pass the *Employee Free Choice Act* to help rebuild the middle class and invigorate an ailing economy by protecting America's employees' freedom to choose whether or not to form a union and providing them with the opportunity to improve their economic situation.