

**As Introduced**

**128th General Assembly  
Regular Session  
2009-2010**

**S. C. R. No. 2**

**Senator Gibbs**

**Cosponsors: Senators Seitz, Schuring, Faber, Buehrer, Schuler**

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**CONCURRENT RESOLUTION**

To request the Ohio Congressional delegation to 1  
oppose legislation that disenfranchises Ohio 2  
workers by removing their right to a private 3  
ballot union election. 4

**BE IT RESOLVED BY THE SENATE OF THE STATE OF OHIO (THE HOUSE OF REPRESENTATIVES CONCURRING):**

WHEREAS, The right to a private ballot when voting on 5  
external representation is fundamentally inherent in our 6  
representative Republic and shall not be infringed upon; and 7

WHEREAS, Ohio taxpayers spend tremendous resources to foster 8  
and support free elections at home and abroad, it does not make 9  
sense to roll back the clock on our own workplace elections by 10  
abolishing federally protected private ballots; and 11

WHEREAS, Passing the Employee Free Choice Act (EFCA) will 12  
replace a federally supervised private ballot election with a 13  
system that facilitates coercion and intimidation, known as "card 14  
check," whereby employees publicly sign cards to vote for 15  
unionization; and 16

WHEREAS, The Chairman of the United States House Education 17  
and Labor Committee, Representative Miller (Democrat, California), 18  
and staunch supporter of the American "card check" bill, sent a 19

letter to a Mexican government official that states, "...we feel 20  
that the private ballot is absolutely necessary in order to ensure 21  
workers are not intimidated into voting for a union they may 22  
otherwise not choose."; and 23

WHEREAS, The bill would leave Ohio employees vulnerable to 24  
harassment, misinformation, labor union pressure, and would 25  
ultimately have a significant negative impact on the Ohio small 26  
business community; and 27

WHEREAS, Small businesses are less likely to have labor 28  
counsel and are more susceptible to the complicated legal 29  
restrictions employers face during union organizing drives; and 30

WHEREAS, This legislation departs from over six decades of 31  
precedent established by the National Labor Relations Act by 32  
imposing contract terms on private employers through a process of 33  
compulsory binding arbitration; and 34

WHEREAS, The mandatory binding arbitration provisions of EFCA 35  
deny workers the right to participate in the collective bargaining 36  
process between employees and the union; now therefore be it 37

RESOLVED, That the Ohio Senate (the House of Representatives 38  
concurring) finds that so-called "card check" legislation such as 39  
the "Employee Free Choice Act" is detrimental to the rights of 40  
Ohio workers and an offense against democratic principles, and 41  
urges all members of the Ohio Congressional delegation to support 42  
worker freedom by opposing the EFCA and any of its components in 43  
2009 and in future years; and be it further 44

RESOLVED, That the Clerk of the Senate transmit duly 45  
authenticated copies of this Resolution to the members of the Ohio 46  
Congressional delegation and to the news media of Ohio. 47