

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

771N0601

SENATE CONCURRENT RESOLUTION NO. 3

Introduced by: Senators Koetzle, Katus, and Kloucek and Representatives Lucas and Glenski

1 A CONCURRENT RESOLUTION, Encouraging Congress to pass the Employee Free Choice
2 Act.

3 WHEREAS, in 1935, the United States established, by law, that workers are free to form
4 unions; and

5 WHEREAS, the freedom to form or join a union is internationally recognized by the 1948
6 Universal Declaration of Human Rights as a fundamental human right; and

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

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

11 WHEREAS, states in which more people are union members are states with higher wages,
12 better benefits, and better schools; and

13 WHEREAS, union workers receive better wages and benefits, earn twenty-nine percent
14 more than workers without a union, are thirty-five percent more likely to have access to health
15 insurance, and are four times more likely to have access to a guaranteed defined-benefit pension;
16 and



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

4 WHEREAS, seventy-seven percent of the public believes it is important to have strong laws
5 protecting the freedom for workers to make their own decision about having a union, and fifty-
6 eight percent of workers would join a union if they had the chance; and

7 WHEREAS, each year millions of dollars are spent to frustrate workers' efforts to form
8 unions, and most violations of workers' freedom to choose a union occur behind closed doors,
9 with seventy-eight percent of employers forcing employees to attend mandatory anti-union
10 meetings; and

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

14 WHEREAS, a worker's fundamental right to choose a union free from coercion and
15 intimidation is a public issue that requires public policy solutions, including legislative
16 remedies; and

17 WHEREAS, the Employee Free Choice Act has been introduced in the United States
18 Congress in order to restore workers' freedom to join a union; and

19 WHEREAS, the Employee Free Choice Act will safeguard workers' ability to make their
20 own decisions with these abuses and establish meaningful penalties when employers violate
21 workers' rights:

22 NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Eighty-second Legislature
23 of the State of South Dakota, the House of Representatives concurring therein, that the State of
24 South Dakota supports the Employee Free Choice Act which would authorize the National

1 Labor Relations Board to certify a union as the bargaining representative when a majority of
2 employees voluntarily sign authorizations designating that union to represent them and the Act
3 would establish meaningful penalties for violations of a worker's freedom to choose a union;
4 and

5 BE IT FURTHER RESOLVED, that Congress is encouraged to pass the Employee Free
6 Choice Act to protect and preserve for America's workers their freedom to choose for
7 themselves whether or not to form a union.