



The Rank and File Catholic

(Connecting the teaching of the Church with the struggles of Labor)

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What does “The Employee Free Choice Act” mean?

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“Gamaliel Foundation”

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Union versus non-union has been a highly political and divisive argument over the years. The truth of the matter is that there would not be a need for unions if all employers were fair and honest. Since the beginning of unions in the United States, many companies have tried to squelch the voices of labor often times with the approval and backing of our own government!

The “Employee Free Choice Act” (EFCA) is legislation that would amend the “National Labor Relations Act” (NLRA) and allow employees easier access to union representation. The EFCA would establish a more fair system to enable the employees to form, join, or assist labor organizations.

Presently, the NLRA requires that 30% of employees in a bargaining unit sign cards asking for representation by the union. Then the labor board contacts the employer and informs him that there is a petition for an election. Typically the employer will contest who is able to vote, which leads to a “unit determination hearing.” At this hearing it is not uncommon for the employer to hire a high dollar union busting attorney to throw a wrench in the works, often claiming that certain employees don’t have the right to vote as well as mixing things up by adding different employees into the unit that may not even work with the original workers who wanted the union. When a unit of workers is found to be a proper unit the Labor Board will set an election date. A “secret ballot” election is held. The employer can accept the ballot results if they wish, or they may refuse; they are not bound by law to accept. They are merely required to negotiate in good faith with the union for one year.

This leaves the strong union supporters in a precarious situation, often being treated harshly or even finding themselves without a job after the election/secret ballot. Bottom line, workers get fired!

The EFCA would change the process by certifying a bargaining representative without directing an election if a majority of the bargaining unit employees signed cards requesting representation. The employer would be legally bound to accept the decision of the card check process, the signed decision of the majority of workers.

On February 23, 2009 I filed a petition with the National Labor Relations Board (NLRB) for an election with an automatic fire sprinkler contractor that currently is working in the Louisville, Kentucky area. (continued on page two column two.)

During the last election cycle we heard a great deal about “community organizing.” This fall I received some direct experience in community organizing when I was privileged to attend the seven-day workshop sponsored by the “Gamaliel Foundation.” This is the same training that President Obama first attended, then taught beginning in the late 1980s, (more info can be found at: www.gamaliel.org).

The workshop was as intense and productive a training as I have ever received. The quality of the presenters and the rigor of the instruction were unparalleled. The week was further enriched through the diversity and wisdom of my fellow participants. I roomed with a ram-rod-straight retired Army Colonel working with his church in New Jersey on housing issues and dined with a stay-at-home mother from South Bend, Indiana whose fight for access and services for kids arises from her own three children, all of whom have special needs. I was befriended by a man who lifted himself from the streets of L.A. to become a multi-millionaire before age fifty and now offers his full time efforts to the church. I was privileged to share a classroom table for most of the week with a Benedictine Sister who was appointed “pastor” to an inner-city parish overrun with drugs and poverty. As diverse as the group was, we were bound together by two cords. We were all part of a faith-based initiative from within Christianity and all of us have a heart for the work of social justice.

If you are reading this newsletter it is likely that you also share the two core values I just named. These trainings, which are referred to as “Week-Long,” are not simply for fulltime community organizers, but for folks just like me and you. The above website will list the dates, locations and other important information. I urge you to prayerfully consider adding your name to a litany of participants, famous and not so famous, who have benefited from this life-changing experience.

Words of Wisdom from Pope Benedict XVI

“...peace can be built only if everyone is assured the possibility of reasonable growth: Sooner or later, the distortions produced by unjust systems have to be paid for by everyone.”

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The Chaplain's Corner

**Excerpts from the Homily
Given at Mike Roby's Funeral by
Fr. Anthony Shonis
Holy Name of Jesus Parish, Henderson, KY**

“Take a good look around this church...notice the lighting, the flooring, the mason work. Look at the vestments I am wearing, the wine, the bread, the altar. Everything in this room is the result of work...NO WORK NO MASS. And those workers, the electricians, the carpenters the masons, the plumbers and the all the others who made this Mass possible have rights. Rights founded on the ‘dignity of the human person’, ‘rights that are inviolatable’. The ‘right to organize themselves’, if they so desire, the ‘right to speak with one voice in collective bargaining’, the ‘right to a living wage which includes a pension for their old age and healthcare.’ And these rights are founded on the God given dignity of the human person and Mike Roby understood all this! Mike Roby may have died by himself but he did not die alone! He died in community. He died in the community of Local 1701 of the International Brotherhood of Electrical Workers with his union brothers and sisters. He died in the community of Blessed Mother Parish where he was baptized and married. And lastly he died in the community of a family that loved him, his wife and daughters. He went from our love to God's love. From our community to God's community!”

**“Organized Religion and
the American Labor Movement”
By: Fr. Anthony Shonis**

I have just completed a project that I would like to take on the road. It is a 25 minute slide show (using Power Point) entitled “*Organized Religion and the American Labor Movement*”. It traces the relationship of the different churches and synagogue to organized labor. It begins after the civil war with the industrial revolution and the ‘new’ immigration to this country of unskilled workers e.g. “Irish Need Not Apply”. It points out the powerlessness of unions because of a judicial system that was committed to upholding the absolute right of private property. In turn this fomented labor unrest and violence. And while early statements of the churches and

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Religion and the American Labor Movement (continued from column one this page)

synagogues were generally supportive of labor at the same time there was a fear of the socialists and anarchists who were union leaders.

I also select some outstanding labor leaders who were religious men e.g. George Meaney AFL, Caesar Chavez UFW, John Sweeney AFL-CIO, A. Philip Randolph BSCP, William Green, UMW.

I have long felt that most union members have no idea of the long and close relationship between the churches/ synagogue and labor. And that unions as well as churches/ synagogues need to be educated about their joint history of cooperation and support.

So please if you think you know of some labor council or some church group that would be interest learning more about organized religion and the American labor movement contact me.

The “Employee Free Choice Act” (continued from page one column one)

Over 50% of the employees in the bargaining unit have signed statements asking for union representation. The owner however, denies that his employees want to be represented. As of February 26, 2009 all 7 union supporters were fired! His employees do not have health care insurance, nor do they have a retirement or pension fund. Many of them are paid well below the area standard living wages. Yet, the NLRA presently in place, allows the owner to deny the employees’ requests for representation. Companies often hire aggressive anti-union firms to coerce, and intimidate employees to bust the union effort too. Company resistance is certainly not uncommon. The EFCA would allow union representation to be the choice of the workers and also bring workers rights back into balance.

With a new and changing political atmosphere, passage of the EFCA is more hopeful. Approval would be a huge step for workers rights and employee respect. May God bless and guide our country during this time of new direction and change.

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