
(June 21, 2005) Lipinski Addresses the Rights of American Workers Subcommittee

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Subcommittee on Workforce Empowerment and Government Programs

Hearing on Union Salting and Small Business

WASHINGTON, DC - Today, as the Ranking Member House Subcommittee on Workforce, Empowerment, and Government Programs, Congressman Lipinski, made the following statement before the hearing entitled "Union Salting-Organizing Against Small Business:"

STATEMENT of the

Honorable Daniel Lipinski

Hearing on Union Salting and Small Businesses

Subcommittee on Workforce Empowerment and Government Programs

House Committee on Small Business

June 21, 2005

Thank you, Madam Chairman.

I want to thank everyone for coming today to discuss this important issue. As job creation continues to lag we see the toll it is taking on many workers; jobs are being shipped overseas, wages are being slashed, and benefits such as health care and retirement are vanishing.

But we should not be looking for an underserving scapegoat for the country's economic problems. Despite the lagging economy, the American worker has never been more productive. Unfortunately, the lack of job creation is causing some to try to weaken important labor protections, rather than to focus on the real economic problems, such as rising energy and health insurance prices. And the reality is that a need does exist for unions to protect and advocate for our nation's workers. Unions ensure that working Americans earn a decent wage, and they deliver a workforce committed to economic growth.

While some employers allow their workers the opportunity to unionize, there are others who construct barriers and engage in covert campaigns to intimidate and dissuade workers from learning about the benefits of union membership. Therefore, the only way for these non-union workers to find out about their rights, and the working conditions to which they are entitled, is through the practice of salting.

Salting is about the empowerment of working people - it is a practice that educates workers about what a union could do for them. This practice is especially useful in industries such as construction where workers are constantly moving from one job - and one contractor - to another. Salting is the most effective way for union organizers to communicate with these workers.

Unfortunately, there are a number of misconceptions surrounding salting. Salting does not disrupt the workplace - these individuals work hard to contribute to the company's overall success. And the law requires that no harm is done to the employer.

While we will hear some anecdotal stories today about salting abuses, there is simply no evidence that salting hurts small businesses. Many employers incorrectly believe that salting will result in frivolous charges being filed by unions. However, this is not the case. Companies that follow the law actually benefit from salting - many times this practice uncovers massive violations of workers' rights by employers attempting to gain unfair advantages.

While most employers truly want to do what is best for their employees, the reality is there are bad players trying to prohibit their workers from earning fair wages and equal benefits. That is why unions are important and salting is a vital tool.

Today, as we look at H.R. 1816, it is important to pay close attention and recognize how this bill will change the current status of workers' rights. I appreciate Representative King's work, but I think we should not be stripping away rights of American workers.

H.R. 1816 affects the basic right of workers to form and join unions. Simply stated, this legislation allows an employer to fire or refuse to hire workers if they seek employment in order to organize on behalf of a union. This undermines the intent of the original National Labor Relations Act, which was enacted for the purpose of protecting the right of workers to form and join unions. As recently as 1995, the U.S. Supreme Court ruled unanimously to uphold the practice of salting.

We should not attempt to weaken processes that are critical in helping working families to access fair wages, health benefits, and workplace protections. By promoting workers' interests through collective bargaining, the National Labor Relations Act has been one of the most effective anti-poverty programs in our country's history. In my district, it has allowed thousands of hard working men and women to provide for their families and achieve the American dream.

This proposal is a step back from that commitment. We should be standing in support of working families, not pursuing initiatives that erode their quality of life. Thank you.

