

## (September 8, 2005) Committee on Small Business Statement on "Freedom in the Workplace"

Committee on Small Business

STATEMENT

of the

Honorable Daniel Lipinski

Hearing on "Freedom in the Workplace -

An Examination of a National Right to Work Law"

Subcommittee on Workforce Empowerment and Government Programs

House Committee on Small Business

September 8, 2005

WASHINGTON, DC - Congressman Dan Lipinski made the following statement today at the Subcommittee on Workforce Empowerment and Government Programs Hearing on examining the National Right to Work law. Lipinski is the Ranking Member on this Subcommittee.

Thank you, Madam Chairman.

Today, we all agree that we need to do more to improve the competitiveness of America's small businesses in this poor economic climate.

But it is wrong to suggest that organized workers are responsible for problems faced by our small businesses and for our faltering economy. We should not be looking for an undeserving scapegoat to blame for our economic problems, and we should not be trying to weaken the rights of workers to organize under the National Labor Relations Act.

Unions are not responsible for skyrocketing gas costs or the rising costs of health insurance. They are not responsible for the burdensome federal regulations that continue to increase on our nation's small businesses and they are also not to blame for China's trade and currency policies. Instead, unions contribute to the well-being of American workers.

Last night I attended a dinner at which the National Electrical Contractors Association - NECA - gave an award to Small Business Committee Chairman Don Manzullo. NECA members talked to me about their productive relationship with the union, IBEW. While I know this may be a unique situation, it shows how everyone can benefit when management and labor cooperate.

But today we will hear from a number of witnesses who will claim that our laws are stacked in favor of unions and that employees are being forced to join unions. We will hear terms like "freedom of association" and "compulsory unionism."

The reality is that no one can be forced to join a union against their will, and a union cannot take action against those who decide not to join their union. In fact, a union has a legal duty to represent every employee - whether or not they are a member of the union. Since unions must by law represent everyone, not only in collective bargaining for better wages and benefits but also in any grievance the worker is involved in, non-union employees must pay agency fees - not union dues - to the union for services they provide.

We will hear testimony today how states with right to work laws create a better business environment. However, statistics clearly show that free-bargaining states have a proven record of lower rates of poverty, higher wages, lower rates of workplace fatalities, and better health care benefits, as compared to so-called "right-to-work" states. In fact, one might say that the latter group of states should be known as the "right to work for less" states. Employees are better off without these laws. At the same time, there is no evidence that these advantages are inconsistent with a strong business environment - if anything, they are an indication of a vibrant business climate.

I find it hard to believe that the governors and state legislators of free bargaining states would not want the best business environment. Strangely enough, when we hear so much talk in Washington about states' rights - this legislation would go against that standard by depriving states of the right to determine how businesses operate.

Our common goal in this committee is to improve the economic environment for small businesses so we can create better jobs for Americans. Unfortunately, a failure to address critical small business issues has hurt the ability of our small businesses to grow and create jobs.

In closing, I would also like to note that I want to ensure that this Committee does all it can to help the victims of Hurricane Katrina. Whether it be through SBA loans or technical assistance or other means, there are programs at the Small Business Administration that can be used to help the thousands of small business owners who will be struggling to get back on their feet.

I look forward to today's discussion and the testimony.

Thank you, Madam Chairman.