



## **NEW EMPLOYMENT LAW ALLIANCE POLL SHOWS VAST MAJORITY OF AMERICANS UNINFORMED AND UNSURE ABOUT CONTROVERSIAL LABOR LEGISLATION**

***75% of those polled in the dark about proposed Employee Free Choice Act***

SAN FRANCISCO, CA (February 19, 2009)– Despite millions of dollars already spent on both sides of the issue, three-quarters of Americans are completely in the dark over the Employee Free Choice Act (EFCA), a law touted by labor unions and political supporters as a way to increase unionization and improve the lives of middle-class America. And American workers are sharply divided over its merits, according to the latest national poll by the Employment Law Alliance (ELA)

The poll, the 20th survey in ELA's "America At Work" series, sampled 1,288 working men and women across the U.S. They were asked about their awareness of the EFCA, views on its major elements and its potential impact on the workplace and the economy. The poll has an error interval of +/- 2.73% at a 95% level of confidence.

Stephen J. Hirschfeld, Esq., CEO of the ELA, said the results may cause unions and business leaders to reconsider their extensive and expensive outreach efforts. "They should both be concerned that so few Americans are even aware of the EFCA, the most sweeping proposed labor law reform of this generation." He added, "The results may also indicate that Americans believe there are far more pressing issues, such as the deepening recession." He summarized the major findings (complete results are available at [www.employmentlawalliance.com](http://www.employmentlawalliance.com)) in the survey:

- Only one-quarter reported that they were aware of the EFCA.
- Slightly over one-quarter (26%) say they support the EFCA, and nearly as many (24%) oppose it.
- Fewer than one-third (30%) of those surveyed support replacing a secret-ballot election with a "card check" system to determine union representation; 35% were opposed.
- Asked about the use of government-supervised, binding arbitration to settle a contract in the event of a deadlock, 37% favor this while 22% were opposed.
- Gauging a possible "Obama factor," 30% said they were more likely to back the EFCA if the President supported it.



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Hirschfeld, whose San Francisco-based firm, Curiale Hirschfeld Kraemer LLP represents many Fortune 500 companies said, “Many of our clients are concerned about the possibility this legislation may become law, so they are putting plans in place right now to educate their employees about union authorization card drives and to urge them to think carefully about whether they support union representation before signing one of those cards. They are taking nothing for granted, including that their employees understand the EFCA, which the poll clearly shows is not the case.”

Dr. Ted Reed, President of reed group, in Philadelphia, and Survey Director for the poll, said the survey may be revealing a disconnection between the perceptions of the EFCA within and outside the Washington Beltway on both sides of the issue. “While the rhetoric has been highly charged, the poll shows only a slight plurality thinks EFCA will improve the standard of living for the middle class. And there was no clear majority that believes EFCA would help turn around the ailing economy, reduce the number of layoffs, or reduce the number of jobs being sent overseas. The strongest sentiment among those polled was toward their lack of awareness and understanding of the EFCA.”

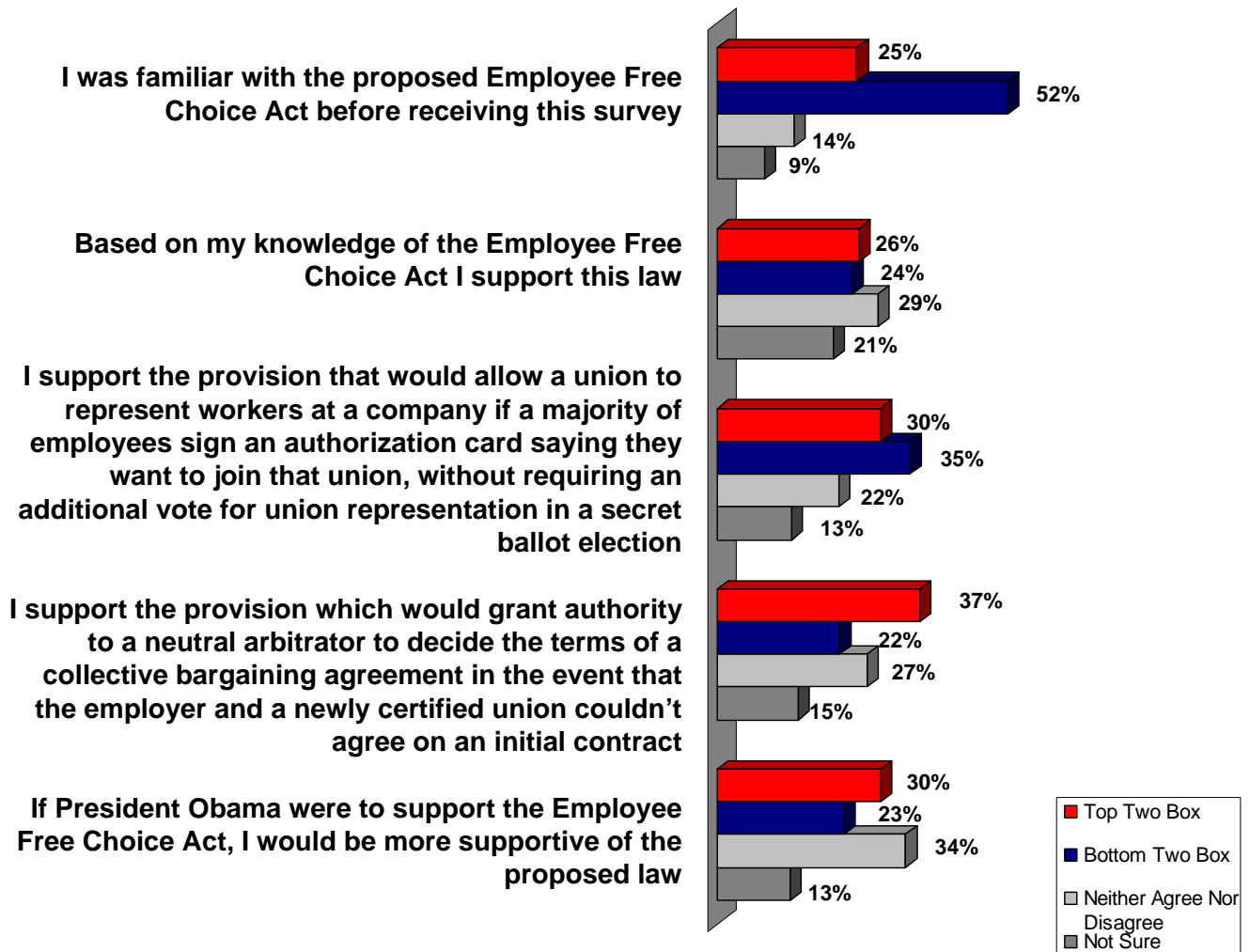
### **About The Employment Law Alliance:**

The Employment Law Alliance is the world's largest network of labor and employment lawyers. With specialists in all 50 states and more than 100 countries, the ELA provides multi-state and multi-national companies with seamless and cost-effective services worldwide. For detailed polling information, visit [www.employmentlawalliance.com](http://www.employmentlawalliance.com).



**Agreement with Statements Regarding  
 Proposed Employee Free Choice Act**  
*Top Two Box = Strongly Agree, Somewhat Agree*  
*Bottom Two Box = Somewhat Disagree, Strongly Disagree*

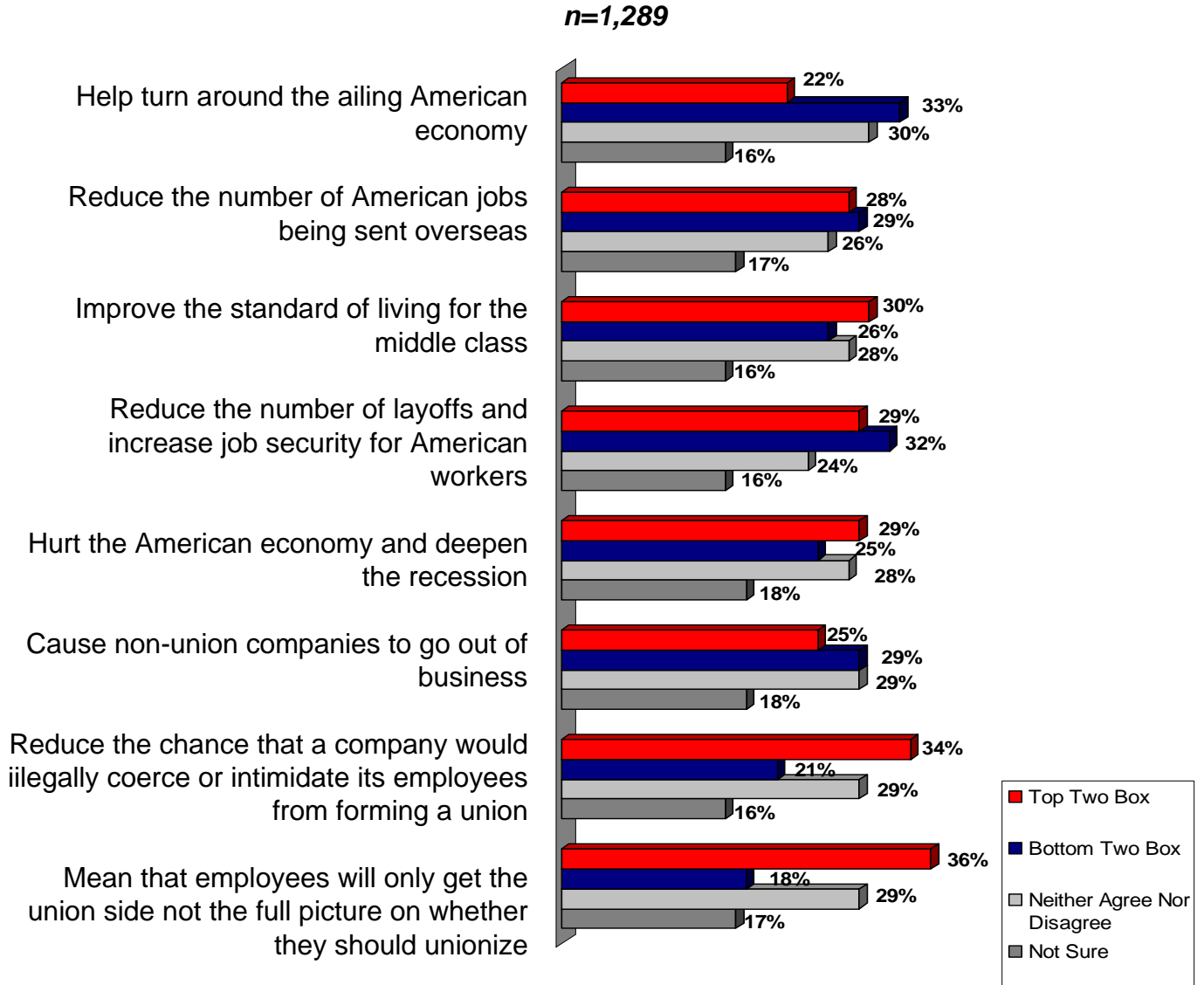
**n=1,288**



- A majority (52%) report that they were unaware of the Employee Free Choice Act before receiving this survey.
- The public is divided in their opinions about the Employee Free Choice Act with 26% supporting it and 24% opposing it. 21% reported that they were unsure about supporting or opposing EFCA, and the remainder (29%) neither supported nor opposed it.
- Slightly more than one third (35%) oppose union representation if a majority of the employees sign an authorization card, without going to an additional secret ballot vote. 30% support this provision.
- 37% support the use of a neutral arbitrator to determine contract terms if employer and a new union are unable to agree on terms.
- 30% would be more supportive of EFCA if President Obama supported it, and 23% would be less supportive as the result of such an endorsement



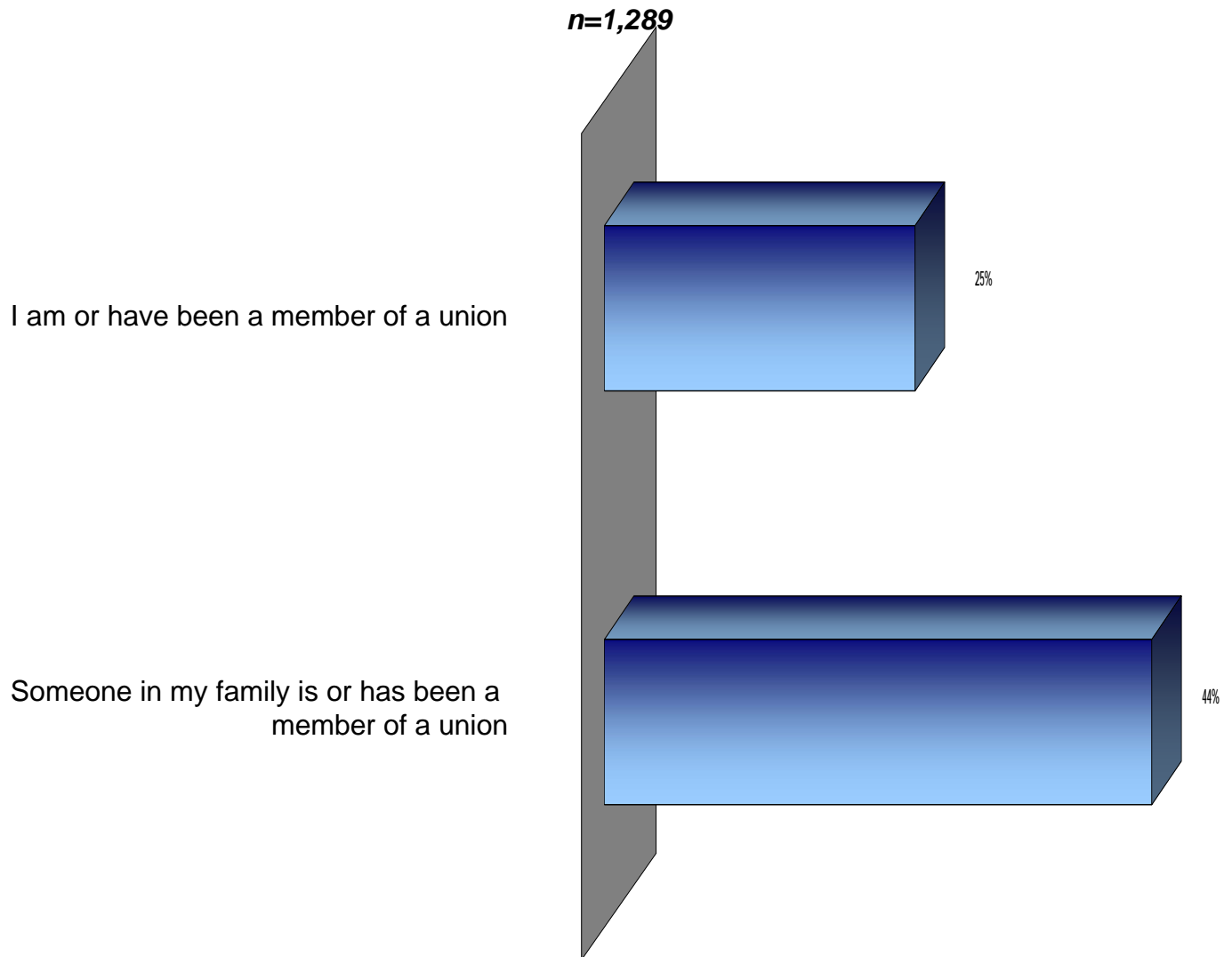
**Agreement with Statements if Law is Enacted**  
**Top Two Box = Strongly Agree, Somewhat Agree**  
**Bottom Two Box = Somewhat Disagree, Strongly Disagree**



- American workers are divided in their views on the impact of the Employee Free Choice Act, with significant numbers neutral or not sure about the impact of the Act
- Slight pluralities think the Act will
  - Mean that employees get only the union side, and not the full picture about whether they should unionize
  - Reduce the chance that a company would illegally coerce or intimidate its employees from forming a union
  - Improve the standard of living for the middle class
  - Hurt the American economy and deepen the recession
- Slight pluralities think that the EFCA will not
  - Help turn around the ailing American economy
  - Reduce the number of layoffs and increase job security for American workers
  - Reduce the number of jobs being sent overseas
  - Cause non-union companies to go out of business



## Union Affiliation



- One quarter of the participants in the poll (25%) are currently or have been union members themselves
- 44% of the poll participants report that someone in their family is currently or has been a member of a union