
ASSEMBLY JOINT RESOLUTION NO. 9—ASSEMBLYMAN MCARTHUR

MARCH 16, 2009

Referred to Committee on Elections, Procedures, Ethics,
and Constitutional Amendments

SUMMARY—Requests that the Nevada Congressional Delegation oppose legislation which disenfranchises workers by removing their right to a private ballot union election. (BDR R-1090)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

ASSEMBLY JOINT RESOLUTION—Requesting that the Nevada Congressional Delegation oppose legislation which disenfranchises workers by removing their right to a private ballot union election.

- 1 WHEREAS, The right to a private secret ballot when voting on
2 external representation is fundamentally inherent in our
3 representative Republic and shall not be infringed upon; and
4 WHEREAS, Passing the Employee Free Choice Act will replace a
5 federally supervised private ballot election with a system that
6 facilitates coercion and intimidation, known as “card check,”
7 whereby employees publicly sign cards to vote for unionization; and
8 WHEREAS, Seventy-nine percent of the American people
9 support a worker’s right to a federally supervised secret ballot
10 election when deciding whether or not to join a union; and
11 WHEREAS, The tripartisan agreement to oppose the Employee
12 Free Choice Act is overwhelming, as 77 percent of Republicans, 82
13 percent of Democrats and 79 percent of Independents believe in
14 protecting private ballots; and
15 WHEREAS, In July 2002, before a United States House
16 subcommittee, a union employee testified that those who would not
17 vote for a union in a public card check program were threatened



1 with termination, deportation and loss of their 401(k) and health
2 benefits; and

3 WHEREAS, Even the Chairman of the United States House
4 Committee on Education and Labor, Representative George Miller,
5 a staunch supporter of the American “card check” bill, sent a letter
6 to government officials of Mexico which states, “We feel that the
7 private ballot is absolutely necessary in order to ensure workers are
8 not intimidated into voting for a union they may otherwise not
9 choose”; and

10 WHEREAS, The mandatory binding arbitration provisions of the
11 Employee Free Choice Act deny workers the right to participate in
12 the collective bargaining process between employees and the union;
13 now, therefore, be it

14 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF
15 NEVADA, JOINTLY, That the 75th Session of the Nevada Legislature
16 finds that so-called “card check” legislation such as the Employee
17 Free Choice Act is detrimental to the rights of workers and an
18 offense against democratic principles, and urges all members of the
19 Nevada Congressional Delegation to support worker freedom by
20 opposing the Employee Free Choice Act and any of its components
21 in 2009 and in the future; and be it further

22 RESOLVED, That the Chief Clerk of the Assembly prepare and
23 transmit a copy of this resolution to each member of the Nevada
24 Congressional Delegation; and be it further

25 RESOLVED, That this resolution becomes effective upon
26 passage.

