



To: Interested Parties

From: David Bonior
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Re: Workers Win: The Election and the Employee Free Choice Act

Date: November 6, 2008

America's workers won on election night. Despite an extraordinary \$20 million spent in nine battleground states to defeat candidates who support the Employee Free Choice Act, voters soundly rejected this misleading anti-union campaign from corporate interests and overwhelmingly backed candidates who support working families.

Throughout this historic campaign season, the economy has been the most dominant issue on the minds of American voters. But as the middle class bore the burden of this struggling economy, corporate interest groups have vigorously fought to mislead the public on the Employee Free Choice Act – a reasonable legislative proposal that would help restore balance in this economy by making it easier for workers to form unions.

No matter how hard corporate interests tried to dupe the voters, it just didn't work. State by state, millions were spent, but the fact remains the Employee Free Choice Act never became the wedge issue corporate interests sought. In fact, not only did the opponents of the Employee Free Choice Act fail to affect these races, often those candidates supporting the bill steadily rose in the polls despite massive advertising on the issue.

In Colorado, Senator-elect Mark Udall withstood millions of dollars of negative advertising, including three months of ads against his support of the bill. His final margin was three points higher than where he had been in the polls when the ads began.

The day after Oregon Senator-elect Jeff Merkley won his primary, ads started airing to attack his support for the bill, and anti-worker forces spent almost \$1 million to defeat him. As the ads continued, Merkley rose steadily in the polls.

In New Hampshire, Senator-elect Jeanne Shaheen was one of the first candidates to face anti Employee Free Choice Act advertising. Despite spending \$1.5 million in the tiny state of New Hampshire, the bill's opponents failed to have an impact in this race.

The following poll completed by Peter D. Hart Research Associates shows that anti-union advertising was among the least important factors voters used in determining their

choices for Senate. This poll even demonstrates that the ads' most prevalent, albeit inaccurate, line of attack on the legislation—that the candidates favor “eliminating secret ballots in union elections”—only registered with a very small group of voters. Not only did voters ignore these ads, they remained twice as likely to be concerned with the power of corporations, than with the power of unions.

What is more, a majority of voters indicated that they continue to support making it easier for workers to join unions. Nearly two-thirds (60%) of voters believe that, even in these tough economic times, it is important to pass the Employee Free Choice Act, and nearly one-third (31%) of voters strongly believe it should be a priority for Congress.

President-elect Barack Obama has already signaled his strong support of the bill: “I’ve fought to pass the Employee Free Choice Act in the Senate. And I will make it the law of the land when I’m President of the United States of America” (Philadelphia, 4/2/08). Newly-elected Senators Kay Hagen, Mary Landrieu, Jeff Merkley, Jeanne Shaheen, and Mark Udall also voiced their strong support for the bill despite the millions of dollars spent in a misleading campaign waged against them for standing up for working families.

Without a doubt, there will be more sound and fury from opponents of this bill, but the election made it clear, and the following poll provides even more evidence of public support for the legislation. In our current economic climate, the American public is hungry for measures to strengthen the middle class, and our new Congress should heed this call and make passing the Employee Free Choice Act a priority.