Employee Free Choice Act (EFCA) Re-Introduced into Congress

Yesterday, the Employee Free Choice Act was re-introduced into the United States Senate and the House of Representatives. Characterizing the legislation as "a critical step toward putting our economy back on track," Senator Edward M. Kennedy (D-MA), chairman of the Senate Health, Education, Labor and Pensions Committee, along with Congressman George Miller (D-CA), chairman of the House Education and Labor Committee, announced the re-introduction of the bill in a press conference on Tuesday, March 10, 2009.

Like the bill introduced during the last Congressional term, the re-introduced bill contains the same three significant revisions to existing law:

1. Card check as an alternative to secret ballot elections;
2. Mandatory interest arbitration for first labor contracts; and
3. Enhanced penalties against employers for certain violations of the National Labor Relations Act.

Though for months we have been actively counseling clients regarding the sweeping changes this bill will make, the re-introduction of the bill makes it necessary for all businesses to understand the impact of this bill. We encourage you to immediately contact a member of Reinhart's Labor and Employment Practice to learn specifically how this bill will change the law and what employers should be doing now to address its impact.

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