



# MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # 165-2007

## LETTER TO COMMISSION

TO: Mayor David Dermer and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: July 13, 2007

SUBJECT: **Attached response from Senator John McCain regarding Resolution No. 2007-26572.**

Pursuant to the direction of the City Commission at the June 6, 2007 Commission Meeting, the City Clerk transmitted Resolution No. 2007-26572, A Resolution Urging the U.S. Congress to pass the Employee Free Choice Act To Protect and Preserve Worker's Freedom To Join A Union, to the 540 members of the U.S. Congress.

Attached for your perusal is the response from Senator McCain from Arizona.

C: Jose Smith, City Attorney

JMG: REP

RECEIVED

2007 JUL 16 AM 9:52

CITY CLERK'S OFFICE

JOHN McCAIN  
ARIZONA

COMMITTEE ON ARMED SERVICES  
COMMITTEE ON COMMERCE,  
SCIENCE, AND TRANSPORTATION  
COMMITTEE ON INDIAN AFFAIRS

# United States Senate

241 RUSSELL SENATE OFFICE BUILDING  
WASHINGTON, DC 20510-0303  
(202) 224-2235

5353 NORTH 16TH STREET  
SUITE 105  
PHOENIX, AZ 85016  
(602) 952-2410

4703 SOUTH LAKESHORE DRIVE  
SUITE 1  
TEMPE, AZ 85282  
(480) 897-6289

407 WEST CONGRESS STREET  
SUITE 103  
TUCSON, AZ 85701  
(520) 670-6334

TELEPHONE FOR HEARING IMPAIRED  
(602) 952-0170

June 28, 2007

Mr. Robert E. Parcher  
City Clerk  
17000 Convention Center Drive  
Miami Beach, FL 33139

Dear Mr. Parcher:

Thank you for contacting me regarding the issue of secret ballot union elections. I appreciate you sharing your views with me.

As you may know, the National Labor Relations Act is a law that protects the right of private sector workers to engage in union activity and collective bargaining. Furthermore, this Act allows, but does not require, secret ballot elections. Employees or a union may request a secret ballot election from the National Labor Relations Board (NLRB) to determine the employees' bargaining representative. The alternative to this is an employer may voluntarily recognize a union without a secret ballot election. According to the NLRB, approximately 3,000 secret ballot elections are conducted every year and about 300 employers voluntarily recognize a union.

Several bills have been introduced in the 110<sup>th</sup> Congress that would change the procedures which workers choose to join, or not join, a union. S. 1041, the Employee Free Choice Act, pending before the Senate Health, Education, Labor, and Pensions Committee, would replace secret ballot elections with a card check recognition and would increase penalties for unfair labor practices committed by employers. S. 1312, the Secret Ballot Protection Act of 2007, would amend the National Labor Relations Act to ensure the right of employees to a secret ballot election conducted by the NLRB. Although I am not a member of this Committee, please be assured that I will keep your views in mind should the full Senate consider this bill.

Again, thank you for taking the time to share your concerns with me. Please feel free to contact me in the future on this matter or any other issue of interest.

Sincerely,

A handwritten signature in black ink, appearing to read "John", written in a cursive style.

John McCain  
United States Senator

JM/