

Shock: Al Sharpton Takes on the Unions

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<http://pajamasmedia.com/blog/shock-al-sharpton-comes-out-against-card-check-bill/>

Sharpton opposes the Employee Free Choice Act and plans to mobilize the African-American community against it.

Big Labor has taken its lumps lately. The UAW failed to buffalo Congress into giving the Big Three a bailout without significant and prompt restructuring of their labor agreements. The Service Employees International Union ([SEIU](#)) made an appearance in Blago-gate.

This week the Orwellian-named Employee Free Choice Act, which would dispense with secret ballot elections in labor organizing attempts, lost [Democratic Senator Blanche Lincoln](#) of Arkansas who pronounced that now was not the time for what will certainly be a knock-down-drag-out fight. But the biggest blow may have come from an unlikely source.

On his radio show Al Sharpton announced that he would be opposing the EFCA and mobilizing the African American community against it. Here is an excerpt of his conversation with Sylvester Smith, a small business owner, and Charlie King of the National Action Network. King begins by explaining the EFCA:

Charlie: The union leaders can go into let's say a business of 40 people and they can go to their homes and get 21 people to sign a card saying that we want to have a union and once they get 50 plus 1 people to sign this card it means that that work force has now been unionized.

Al Sharpton: And what's the second objection?

Charlie: The second objection or concern we have is on the binding arbitration. So let's say using my hypothetical that the union that the workforce gets unionized by getting let's say 21 people to sign a card saying that they want a union then you could have after 90 days if you can't have an agreement between the union and the employer it going into what's called binding arbitration and an arbitrator, a federal arbitrator, would come in and basically decide what that contract is going to be for two years. So essentially what you could have is a person, a working man or woman, in a business who will have a contract put upon them without them ever agreeing to have a union or voting on it or having a say in what that contract will be once unionized.

Al Sharpton: All right, now Sylvester Smith, for businesses, and I'm very concerned about minority business after a long time fighting for them, why do you think this is bad?

Sylvester: That's a very good question Rev. Sharpton. I appreciate you for asking. If I could, if I may take a moment just to kind of give you a little information about my personal experience with this issue. I am a small business advocate. I own a small public relations firm in Little Rock, Arkansas called Change Agents and one of my public relations clients is a The National Federations of Independent Business, which is the largest small business advocacy group in the nation. So I understand the challenges that small business owners face everyday as they try to provide quality goods and services to their customers, and provide quality good paying jobs to their employees so that their employees can support their families, but as an African American person, who grew up in south Arkansas, I also understand that there are certain business people who do not do business in a way that is necessarily honest or upstanding and who do not look out for the best interests of their employees. If I may take another quick moment, I'll give you a recent experience that my aunt had. My aunt was working for a small business in Louisiana and she also ... the business owner was her pastor and she saw the pastor engage in some business activity that she didn't necessarily agree with that made her question whether or not he should be her religious leader. So she informed him that she was no longer going to attend his church and he immediately terminated her. So that's an instance in which my aunt would have loved to have had a union representative.

Al Sharpton: Right, to protect her job.

Sylvester: To protect her job, so I want to make it clear to your listeners that I understand that there are some nefarious employers out there that we need to be protected from but at the same time really, Sharpton, this deal goes too far. Again, back to my experiences as a young African American growing up in south Arkansas, my mother ran for state legislature in 1990, an African American woman, and in her bid to be the first African American member of the state legislature she ran into a very strong opposition from the local establishments including the business community and she had people come to her, both white and black, and say my boss told me that if I vote for you I will lose my job, but there is a God above and I know that he's going to protect me and I know that I have the right to go into that booth and pull the lever for the person I believe in and I did it for you. Now, this whole concept of eliminating the secret ballot is contrary to everything that people like yourself fought for in the civil rights movement to give African American the right to vote, okay. And the reason that the secret ballot is so important is because coercion is very real, Rev. Sharpton, and this whole concept of a card-check system basically means if you want the union you sign the card, and it's there for somebody to check. So, regardless of whether or not you're for or against the union, let's say you're for and you sign this card and the union fails. Well you're boss will have a way to check that card to see who was against him and then that opens you up to some coercive activities or retribution from your boss.

Al Sharpton: Yeah, well, what I don't understand about it which is why I'm in the campaign is why wouldn't those of us who support workers being protected, why would we not want their privacy protected. I mean why would we want them opened up to this kind of possible coercion?

Sylvester: Well, and that's the 50 million dollar question, Rev. Sharpton, it's a question we've been trying to answer but we think that the heart of this issue is not about protecting workers, the heart of this issue is about the decline of union membership that's been going on in this country for the past thirty years. The unions at this point are in a death spiral and much of it's tied to the exportation of production jobs from this country to other countries and the unions. ...

Al Sharpton: Yeah, the outsourcing, well I'm all for, and as well for those who don't believe in the right to organizing, clearly I'm for any legislation to give any state the right to organize, but I'm talking about specifically where workers are not protected from coercion, in terms of these card-checks that you talk about, and as arbitration because explain, Charlie King, to me the whole question that you raised, if you have a federal arbitrator who says that this is the deal, even when the union only established out of card-check, is the deal for two years, and there's nothing you can do about it, I mean, a lot of the business that we afford for the African American community to get contracts and sub contracts and all. They could face some very serious problems here.

Charlie: They could face incredible problems with it. Number one, it divides small businesses so that the employer and the employee can't even really talk about what this contract is, and the second piece of it, going back again to the secret ballot is, and Sylvester's exactly right, is that the civil rights movement was predicated on the right to be able to go in and say what you honestly believe without fear of reprisal. That's why we have the secret ballot in electing our president, our elected officials, and it's a critical component of what we've fought for.

Al Sharpton: So let me get this very clear because I'm going to have a debate on this, we're going to really get into this as we get toward the inauguration, but you're not against organizing unions, you're not saying that workers don't need unions but we're saying that these two items are going too far. That's your position, Sylvester.

Sylvester Smith: Yes sir.

Al Sharpton: That's mine, and I think that we need to debate it and be real clear about it as this campaign is launched, we'll do it starting next week.

Whatever one's opinion of Sharpton, his opposition to EFCA signals an important division within the Democratic Party. If he and his followers organize and influence members of the Black Caucus in the House, for example, or apply pressure to wavering Democratic senators, the fierce fight will get a lot fiercer.

Certainly politics makes strange bed fellows and none would be stranger than pro-business fiscal conservatives joining forces with — *Al Sharpton*. But it might be one more reason, if any were needed, for President-elect Obama to put this at the bottom instead of the top of his agenda. Rather than risk a filibuster and a divided Democratic Party, the better course of action might be to put this on the shelf for another day.

UPDATE: Steve DeMaura, head of Americans for Job Security, a pro-free market group which opposes “card check” legislation which would dispense with secret ballot union elections responded to the news of Sharpton’s opposition to the EFCA: “I applaud Reverend Sharpton’s principled stand on the Employee Free Choice Act. Reverend Sharpton clearly understands that in these difficult economic times Card Check threatens the job security of workers and the recovery of the American economy.”