Them Pore Ole Bosses Need All the Help They Can Get

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According to David Moberg at In These Times, the Bush administration's "deregulation" of the economy is, to say the least, rather selective. Although it's cut back quite a bit on enforcement of occupational safety and child labor laws, there's one area of regulation that it's beefed up considerably:

> ...the Office of Labor-Management Standards, which investigates and audits labor unions, is thriving. This year 48 new positions and a 15 percent budget increase were granted to the office, and since Bush has been in office they have benefited from 94 new positions and a 60 percent overall increase in the budget. Last year the Labor Department began imposing extraordinarily detailed financial reporting requirements for unions and related institutions, like credit unions. Although the AFL-CIO is still pursuing a legal challenge to the rules, the new requirements—which far exceed those placed on

corporations—have already eaten up dues that could have been spent on providing members with services. In addition, the reports expose details about union strategies that could be helpful to employers and political opponents.

"The real motivation was to saddle unions with expensive and time-consuming requirements to harass them and to provide the kind of ammunition that a Right to Work Committee researcher or Republican staffer would find very useful, but union members would find not useful at all," says AFL-CIO General Counsel Deborah Greenfield. "I don't think it's an accident that the head of the agency within the Department of Labor who came up with the rule, Don Todd, was head of research for the Republican National Committee."

Bush's National Labor Relations Board is also preparing to outlaw, by administrative fiat, voluntary employer certification of a union by card-check:

> Increasingly, unions organize, as they did many years ago, by getting employers to recognize the union when a third party verifies that a majority of workers have signed union cards—a practice known as "card check." The board has now signaled that it may make such recognition illegal or at least permit union decertification elections immediately, rather than after at least one year under current rules.

And it is threatening similar administrative action against other forms of voluntary agreements, as well:

> In other cases, the board appears determined to narrow the scope of agreements that unions and management can reach before majority worker support is established. In February a regional NLRB director challenged an agreement between the Steelworkers and a manufacturing investment company to establish management neutrality during an organizing drive. Hiatt and Becker warn that if the board decides against neutrality agreements and majority card recognition, it may "place union representation effectively beyond the reach of most American workers."

In other words, any contractual recognition of minority unionism is *verboten*. Now employers are actually forbidden to make any contractual arrangements with a labor representative short of full-blown NLRB certification. They are forbidden to recognize a union voluntarily until it has first jumped through all the NLRB hoops. Such administrative restraints on the freedom of contract between an employer and the bargaining agent he chooses to recognize are rather odd behavior, you'd think, from an administration that claims to favor the "free market."

Come to think of it, those "free market" Republicans favor a lot of other restrictions on freedom of contract, when it comes to labor. The so-called "right to work" law, for instance: not only does it prohibit management and labor from negotiating a union shop contract; it legally mandates that a labor union represent scabs who don't pay dues for the service.