

Labor unions criticize new Arizona laws taking effect

by David Madrid - Jul. 22, 2011 12:00 AM
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Union leaders say that at least two of the four legislative bills that became law this week make it harder for labor unions to function.

House Bill 2644 and Senate Bill 1403 stop union contracts in Arizona if the federal government were to require them on construction or public-works projects.

Senate Bills 1363 and 1365 drew the ire of several local unions that have sued in federal court to prevent them from being enforced.

Among the unions suing are the Arizona Education Association; the United Food and Commercial Workers Local 99; local branches of the American Federation of State, County and Municipal Employees; and the Service Employees International Union.

They say the Legislature violated constitutional rights, including those protected by the First and 14th amendments.

"There's an agenda out there that is happening one ill-advised policy at a time to silence folks, and we all ought to be concerned about that," said Andrew Morrill, president of the Arizona Education Association. He said legislators are attempting to pit the private and public sector against each other by demonizing unions and that the four laws are part of an effort to limit the effectiveness of unions in the state.

Senate Bill 1363 makes it illegal to make false accusations against an employer, and it includes several new regulations preventing picketing and protesting on private property and blocking access to a place of employment.

Senate Bill 1365 prohibits an employer from deducting payments from employees' paychecks for political purposes unless the employee gives annual written or electronic authorization. The deduction requirement begins Oct. 1.

Sen. Frank Antenori, R-Tucson, sponsored SB 1363 and SB 1365.

"What (SB 1363) stops is people from making wild accusations and basically defaming the business to try to influence labor negotiations," Antenori said. "I mean, there's nothing wrong with negotiating, but you can't use the heavy hand of trying to hurt this guy's business by making claims that aren't true with regard to the business."

Under his bill, unions can be held legally responsible for making false claims or trying to scare customers away. The bill also prevents trespassing by strikers by creating

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a "no-trespass public-notice list" in the Secretary of State's Office that allows employers to register their property.

"Now that information will be available so if somebody is trespassing, the (law-enforcement) officer will be able to identify them trespassing and remove them from the property or cite them if necessary," Antenori said.

Antenori said SB 1365, which he sponsored, is a common-sense law that puts unions on equal footing with the private sector because it doesn't allow unions to deduct payroll for political purposes unless an employee approves the deductions every year. Now, employees aren't required to make annual selections. He said he was responding to residents who didn't want deductions from their paychecks being used for political purposes.

The law impacts organizations, such as teachers unions, that use some annual dues to lobby or campaign on political issues.

Public-safety unions are not affected, and the lawsuit argues that other organizations, such as charities that use a percentage of employee deductions for political purposes, aren't held to the same standards.

"It falls into a larger class of a sinister attempt to get us to believe that unions are the problem," Morrill said of SB 1365. "When it comes to education unions, they are made up of people who educate our students, who care enough to devote some of their money, some of their time, and a whole lot of their commitment to make a collective voice to keep the (education) standards high. Unfortunately, that runs into opposition, and when mean-spirited people get into positions of influence, elected positions of

influence, they come after that, and that's a shame."

The other two laws that affect unions don't really have an impact now.

House Bill 2644 prohibits the state, counties, cities or towns from accepting federal money for construction projects if accepting it requires them to give preference to union labor. Senate Bill 1403 prohibits state, county or local governments from granting public-works projects based on negotiations with or participation in a union.

State agencies, Maricopa County and cities such as Phoenix and Avondale say the two laws have no impact on federal projects.

But Uncle Sam could change the way it awards contracts and require unions be given priority, said Rep. Michelle Ugenti, R-Scottsdale, who sponsored HB 2644.

"It is a pro-business bill that supports fairness and equal treatment under the law for all," said Ugenti, adding that the law isn't anti-union.

Ugenti said she introduced the bill at the

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request of a Fountain Hills resident who was concerned about cost overruns on union projects.

"I sincerely hope the federal government doesn't mandate that states give preference to union labor as a condition of accepting federal funds for construction projects," she said. "However, if they do, this bill ensures that Arizona has laws in place to protect our right-to-work status."

Ugenti said that in states where big unions get large contracts, they ultimately become the most powerful force in state politics.

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