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March 26, 2007

The Honorable Edward M. Kennedy  
Chairman

U.S. Senate Committee on Health, Education, Labor and Pensions  
Washington, DC 20510

The Honorable Michael B. Enzi  
Ranking Member

U.S. Senate Committee on Health, Education, Labor and Pensions  
Washington, DC 20510

Dear Chairman Kennedy and Ranking Member Enzi:

On behalf of the thousands of members of the International Franchise Association, I am writing to express strong opposition to the misguided labor law reform your committee will discuss this week. The so-called Employee Free Choice Act is fundamentally incompatible with protecting the interests of individual liberty and the principles of a sound democracy.

*The International Franchise Association is the largest and oldest franchising trade group, representing more than 100 industries, including more than 1,100 franchisor, 8,000 franchisee and 400 supplier members nationwide. America's more than 767,000 franchised businesses generate jobs for more than 18 million workers (nearly 14 percent of the nation's private-sector employment) and account for \$1.53 trillion in economic activity (nearly 10 percent of the private-sector economic output).*

The Employee Free Choice Act aims to circumvent an employee's right to privately decide whether or not to be represented by a union in their workplace. This part of the union recognition process is critical to preventing coercion by employers, union officials and other outside interests. The only way to guarantee worker protection from coercion and intimidation is through the continued use of a federally supervised private ballot election. Personal decisions like this should continue to remain private.

The bill will also force employers to accept, through binding arbitration, the terms of a first contract if the employer and the union cannot agree. This mandate will undermine the ability for unions and employers to reach an agreement and is inherently unconstitutional. Compulsory arbitration will discourage the parties from offering compromises in bargaining for fear that they may prejudice their position in arbitration, and it is the antithesis of the principles of good faith bargaining on which the National Labor Relations Act was established.

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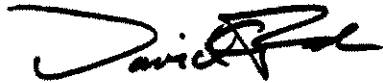


The Honorable Kennedy and the Honorable Enzi  
March 26, 2007  
Page 2

For more than 60 years, the federally-supervised private ballot election process has served well to gauge workers' interest in being represented by a union and this process should not be changed. Existing National Labor Relations Board procedures ensure swift and fair elections, with typical recognition elections held within 60 days of the petition and unions winning 56% of those elections (in 2005).

Again, I urge you to reject this unnecessary and harmful assault on labor law and workers' rights.

Sincerely,

A handwritten signature in black ink, appearing to read "David French". The signature is stylized with a large, sweeping initial "D" and a cursive "French".

David French  
Vice President, Government Relations

cc: Members of the Senate Committee on Health, Education, Labor and Pensions