

**Testimony of Nickimmy Cunningham  
in support of House Bill 7326 An Act Concerning Captive Audience Meetings**

Senator McDonald, Representative Lawlor and members of the Judiciary Committee. Thank you for the opportunity to testify today. My name is Nickimmy Cunningham and I am an organizer with AFT Connecticut and I am here to testify in support of House Bill 7326 An Act Concerning Captive Audience Meetings.

As an organizer I have participated in numerous campaigns where workers have exercised their legal right to form a union. In nearly every one of those campaigns, the employer has held captive audience meetings with their employees in an attempt to dissuade them from forming a union.

75 percent of employers facing a union organizing drive hire anti-union consultants.<sup>2</sup> Unionbusters offer legal services, advice and consultation, training seminars, workshops and materials for management and supervisors, and a variety of targeted anti-union propaganda for distribution to employees, including videos, posters, leaflets, flyers and giveaways. Unionbusters' sophisticated advice, training and materials help an employer create a sense of dissension and division among employees during an organizing campaign and spread misinformation about the union before workers vote in a union representation election.

Among the unionbusting tactics prescribed by these anti-union consultants is captive audience meetings. Captive audience meetings are held for employees during work hours to disseminate propaganda against union representation and to attempt to discredit the union. Employees are almost always required to attend, but union supporters may be intentionally disinvited. Often, the meetings are rigged so that workers who are already against the union are assigned to ask questions to sow misinformation.

One of these so-called "consultants" writes on his website that a minimum of five captive audience meetings are necessary to win an anti-union campaign.

The first captive audience meetings are fairly tame, where the president or owner of the company tells you that they think the union is a bad idea for the company. They will try to convince you and your co-workers that, together, management, supervisors and employees can do a lot and bring about real change without the "problems" unions create.

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During this anti-union meeting do not expect a free, open discussion or a free-wheeling question and answer period following the presentation. Discussions, debate or questions are not welcome. No law requires them! They can ask you to leave if they don't like your comments or behavior. They can force you to leave. They do not have to invite strong union supporters, if they think that you might spoil their presentation.

As the campaign progresses, the captive audience meetings become much more intense. The person delivering the anti-union speech is more serious. Everyone is more tense and uptight after weeks and months of the campaign.

The final captive audience meeting usually takes place in the few days preceding the vote and frequently features a slick anti-union video prepared specifically for this audience and this campaign (again without discussion or debate or questions and answers).

Gordon Lafer, a professor at the University of Oregon who has studied how the National Labor Relations Board union representation election process really works, recently testified before Congress that the process "resembles what happens in rogue regimes abroad rather than anything we call American." He compared what happens in union representation elections to the standards the United States sets for what is "free and fair" in foreign elections and says "every aspect of the NLRB process violates U.S. standards of free and fair."

House Bill 7326 will restore integrity to the union election process in Connecticut and put an end to the intimidation and fear created by captive audience meetings.

2. *Kate Bronfenbrenner, "Uneasy Terrain: The Impact of Capital Mobility on Workers, Wages and Union Organizing," U.S. Trade Deficit Review Commission, 2000.*