

February 1, 2011

Dear Honorable Prague and Zalaski:

My name is Dan McCann and I am the Director of Labor and Government Relations for Halsted Communications based in Ballston Spa, NY and has a branch office in Durham, Connecticut. I reside the Town of East Haven and I hold a Master's Degree in Labor Relations from the University of New Haven. I am here today to testify against HB5460 because it is my belief that this bill will harm Connecticut businesses and make Connecticut less attractive to conduct business.

In my years at Halsted Communications I have dealt with 6 union campaigns and in every one of these campaigns I found myself educating my work force on the very entity they were trying to bring in. Whether you know it or not, Unions have two very important documents that those who are asked to sign a card are usually not aware of; a Constitution and local bylaws. You may say well that sounds ok but when you read a Union Constitution and bylaws it takes away members rights and in some cases basic American rights.

These are some examples I have had to educate my employees on with Unions.

- The Union fails to tell the person signing a Union Card that their signature is a binding agreement that they have entering into with the Union and that they will agree to fully support the Union, the Constitution of the Union and the local bylaws.
- The Union fails to inform the employee that there is a set of rules known as a Constitution that sets rules and regulations for all members.
- The Local Union fails to inform the employee of its rules and regulations, known as by-laws for all members.
- The Union and its Local can levy monetary fines for misconduct and offenses against the Constitution and By-Laws.
- The Union and its Local can put a member on trial without the members right to an attorney.
- The Union can take a member to court and sue a member and fully collect dues, assessments and their personal assets.
- The Union will get you more money and better benefits.
- The Union will stop employers from terminating and disciplinary actions.

In particular, the Union Constitution and Bylaws are in my opinion are the most deceptive organizing tactics used by Unions to sell themselves. In my six campaigns not once did the Union explain to the signees that once they sign the Union Card they are bound by the Union Constitution and Bylaws. Once we were able to get in front of the employees and break down the Constitution and Bylaws and explain what they have entered into my employees began to have second thoughts about what they had done. In one passage of a Union Constitution it denied a basic civil right to its members. Without naming the

International Union, inside of its constitution it has a clause for "Misconduct, Offenses and Penalties." This constitution read as follows

- Article XXV Section 1(a) Violation of ANY provision of the Constitution and rules and bylaws or rules of the Local Union
- Article XXV Section 1(b) failing to report a violation of the Constitution or by laws by a co-worker.
- Article XXV, Section 1(d) attempting to bring about a withdrawal from the UNION
- Article XXV, Section 1(e) engaging in any acts which are contrary to the members responsibility toward the UNION.
- Article XXV Section 1(i) disturbing the peace or harming and of the Local Union meetings.
- Article XXV Section 1(q) working for any company declared in difficulty with the Local Union.

These are just some of the rules and if a member is accused of violating these rules and put on trial that member has NO RIGHT TO AN ATTORNEY. That too is written in many Union Constitutions and Bylaws. When I look at our Constitution in both the United States and the State of Connecticut there is not one reference to the denial of rights, only freedom.

These are just a snap shot of some of the rights a person would lose if they were to join a Union and without my ability to educate my workforce many of my employees would have been led into a contract that they had no knowledge of, therefore they would have been victimized by an organization that is supposed to protect them but now has secured a financial contract.

Make no mistake the Unions in the United States are desperate. Their rank and file membership are at the lowest point since the concept of Unionization began and there is a good reason the American workforce does not need a Union to represent them. In many cases when unions are brought up to vote they are denied. The American workforce in 2011 is more educated than it was in 1911. The American workforce is better protected by the State and Federal Government laws than they are by Unions. The American workforce has better safety standards through Local, State and Federal Laws than by Unions.

So why is the State of Connecticut, THE CONSTITUTION State looking to impose a law that would restrict an employer's right to talk, train and educate our workforce? After the small amount of information I have testified to here today it should make the members of this committee sit back and think that if HB5460 was passed that the Connecticut House and Senate has passed a bill that takes away the right to assemble freely, the right of free speech and the right to be educated.

Make no mistake if HB5460 is passed it would permit Unions and other organizations to continue a path of deception to gain control of American business landscape and like Card Check the Unions know that if brought up to vote they will be denied. The attempt by the Unions to deny the right of vote, the right of free speech and the right to be educated is a despicable tactic that I have seen many times in my career. That is why I fight hard against the very people who claim they are here to help my employees. People that have to use force by legislation are not people who have the best interest of my employees and sounds like something that is happening currently in Venezuela. I urge that this committee defeat HB5460 to secure the right of free speech, assembly and vote.