

Hi,

My name is Beverley A. McCauley and I am President of Hunt Country Masonry Inc. as well as the Legislative Committee co-chair for the Mason Contractors Association of America (MCAA). On behalf of Hunt Country Masonry I come before you today to share my 22 years of experience in small business. During my tenure with my last firm it was my responsibility to maintain employee benefits, encourage team building and open dialogue, and feed an overall attitude of involvement and competition. The purpose of each of those strategies was to discourage unionism and or the need for feeling trapped into feeling like there was no other choice. In life it's the choices we make not the choices we feel forced to make or deceived into. However, with the changes that are being proposed and in-acted by the NLRB and the DOL I feel compelled to share from the small business standpoint what the caveats of these changes are.

These changes are being instituted at a point in history when unemployment is rampant...case in point...1935 the Wagner Act was passed and in 1937 the Supreme Court upheld the decision ...the result a "depression within a depression" when efficiency and profitability are removed from the equation and when everyone is equally rewarded regardless of productivity and skill then productivity and skill diminish and the result is decreased profitability and increased unemployment.... this Act influenced the culture until the 1950's when the Right to Work prohibiting forced union membership arose. With the Right to Work a not so surprising result.... profitability increased and so did jobs. For you see when you make everyone stand on their own merit and make everyone responsible for their own destiny an amazing thing happened people began to take ownership for their destiny. The hardest workers were paid based on their productivity and the less productive workers earned less based on their performance. So the end result...you pay less if someone works less therefore

reducing unemployment and increasing profitability and increasing the jobs available. Here we are Congress knew where this was headed and refused to pass the "Employee Free Choice Act" Congress realized the sweeping changes had the potential to transform what could be a recovery into the next Great Depression and exponential unemployment... at this point it is not a far stretch to picture us headed in that direction. The "Employee Free Choice Act" is being touted as the best scenario for all involved: it eliminates secret ballots, we get that same right when we vote for anyone of you in this room who runs for office, we have the right to vote in private. However, the unions in a secret ballot felt they cannot intimidate anyone so they might lose out. So have we resorted to a Communist regime for what we fight for everyday in the name of democracy the right to vote in private, yet in our own country we are going to deny someone that right.... really! After the Communist vote where we have the right to intimidate people that don't have the same beliefs those same people have the ability to be our only bargaining agents...talk about duress! At the same time the employer prior to all this does not have the right to express the downsides or even set the record straight with out fear of retribution.

I am sorry I don't feel like jobs should be sacrificed for political paybacks to ensure future political support...that brings me to the next point- unions don't let you know that you have the RIGHT to say no to union dues associated with political addenda. Nor do they tell you don't have to join a union in a right to work state or pay union dues in such a state. It seems like the reason behind the Employee Free Choice Act is to elicit a fear of the unknown in already uncertain times. The NLRB would have you believe they are the big brother looking out for his younger sibling when in fact it is big government attempting to collect dues to pay off

and support more like minded people to fund the agenda that employees need someone to take their money and redirected in the right ways and call it union dues. They further more want to make everyone the same...paid the same no matter what the work ethic or persons drive. That makes me really want to work harder or does it make everyone want to work to the level of the employee that's just skating by and earns the same as the person working toward a profitable goal. They want to exacerbate the problem by allowing micro-unions and gerrymandering within the same company. So one group in the company can be unionized into one group another into another group and so on. You could have machinist working side by side each in a separate union. Further more the NLRB and DOL have a proposal that will require all employers to release to the unions any and all contact information they have on each employee, post on sites detailed notices outlining how to organize, giving contacts for the NLRP but no where is it posted whom to call if your harassed, lied to, or co horsed So we have a organization that wants the rights to all your information but you have no recourse to stop them from calling and no way to vote privately.... essentially making it impossible to stand up to for most people. I am not most people I am raising 5 children, I am co-chair of a national organization on their legislative board and I am president of a small business ...I am not afraid but what frightens me is that they have the right to destroy our great nation. They don't want to stop or eliminate the intimidation they just want to be the only ones in the room with that ability. This will cause double didget unemployment...how does that affect us all? Well less people working means more people drawing from the system, which means less resources or higher taxes but the end result is less money for the federal government because no taxes are being paid. Which exacerbates the deficit which causes us to have further arguments over budget cuts, less taxes paid, more

programs are cut, more people lose their homes.... as you can see we are faced with a slippery slope that only gets slicker the more power they illicit. Congress was right when they refused to pass the "Employee Fair Choice Act" however, the NLRB and DOL are essentially leaving Congress and the American People out of the loop and taking employees ability to make informed decisions out of their hands as well. So essentially everything you have worked so diligently for all the sacrifices that you have been making are for not. Without every able-bodied American working that is able to work we cannot recover from our debt. In order for everyone to have a job we must have a community that believes that not everyone should earn the same amount for the same job. Some people strive to succeed; some strive to get by...should they all be rewarded equally. No! That is why we are a free society...unions had their place decades ago to make for better working environments for employees...however over the past decades employers have realized that the better you treat your employees the better they perform and the better the productivity and profitability! So if we want to get this country rolling and out of this trillion and trillion dollar deficit everyone needs to work and be paid for the work they do at the level they perform at.