



Serving the Vending, Coffee Service and Foodservice Management Industries

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Federal & State Update

Union Organizing Changes Pass U.S. House of Representatives

The U.S. House of Representatives recently passed the Employee Free Choice Act (H.R.800). NAMA's Employment Law experts at Connelly Sheehan Harris said if this bill becomes law operators will be forced to bargain with a union without having secret ballot elections. Employees could elect a union representative by getting the majority of employees to sign cards – which could take place before the operator even knows the employees have sought out a union. Operators would have to become proactive every day in their "union avoidance" campaigns because a union could get the cards signed without giving the operator any chance to advocate in its favor or advise the employees on union issues such as dues and how much unions actually pay themselves (not to mention that some employees sign cards out of peer pressure but then change their mind after the campaign when it comes time to secretly vote). Moreover, the bill provides for stiffer penalties if the operators discharge or discriminate during a first contract organization (i.e., treble back pay damages and civil penalties of up to \$20,000 for each violation).

This legislation is now pending in the U.S. Senate where it seems to have a good chance of passing. Vice President Cheney has said that President Bush will veto the bill if it comes to his desk in its current form.

To voice your opinion about this legislation contact your U.S. Senator today. You can locate your Senator at http://www.senate.gov/general/contact_information/senators_cfm.cfm.

State Sales Tax Developments

There have been an unusually large number of bills this year in the states affecting sales tax on vending machine sales. Our industry is promoting sales tax reduction bills in California, Washington, Minnesota, Indiana and Georgia. We are defending against serious threats to current favorable sales tax laws in Michigan, Maine, New Hampshire and Pennsylvania. We're also working with the Governor's office in West Virginia to see if we can correct a very unfair sales tax law passed just last fall.

If you have any questions please contact the undersigned.

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