

STATE OF MINNESOTA

Office of Governor Tim Pawlenty

130 State Capitol ♦ 75 Rev. Dr. Martin Luther King Jr. Boulevard ♦ Saint Paul, MN 55155

May 8, 2008

The Honorable Senator James Metzen
President of the Senate
322 State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, Minnesota 55155

Dear President Metzen:

I have vetoed and am returning Senate File 543, a legislative resolution memorializing Congress to support the Employee Free Choice Act.

The Employee Free Choice Act (H.R. 800) is a highly controversial federal bill which seeks to fundamentally alter federal labor laws. The bill would only address federal labor law and does not have any specialized impact on the state of Minnesota.

The Employee Free Choice Act is fundamentally flawed, and I will not play a role in urging its passage. Some of the primary flaws include:

- Elimination of Employee Elections. Elections provide process for employees to choose whether they want union representation through a secret ballot. Neither the union nor the employer knows how an employee votes. This is an important protection for employees which the bill would eliminate.
- Forcing Contract Terms on Employers. The National Labor Relations Board will be authorized to force an employer to implement a collective bargaining agreement imposed by an arbitrator rather than through agreement between the employer and employees. This represents an unprecedented government intrusion on the right to bargain freely over working terms and conditions.

Sen. Metzen/SF543

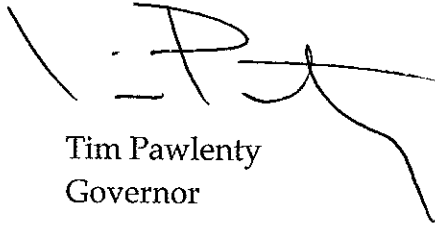
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- New One-Sided Monetary Penalties. The federal bill creates new monetary penalties against employers in relation to unfair labor practices. However, no such penalties are created for unfair labor practices committed by unions and employee groups.

The Employee Free Choice Act is one-sided legislation that seeks to fundamentally alter more than 60 years of federal labor law. If passed, it will disadvantage businesses with U.S. operations and may encourage more employers to transfer jobs, particularly manufacturing jobs, overseas.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Pawlenty', written over a horizontal line.

Tim Pawlenty
Governor

Cc: Senator Lawrence J. Pogemiller, Majority Leader
Senator David Senjem, Minority Leader
Senator David Tomassoni
Representative Margaret Anderson Kelliher, Speaker of the House
Representative Marty Seifert, Minority Leader
Representative Michael Nelson
Mr. Patrick E. Flahaven, Secretary of the Senate
Mr. Al Mathiowetz, Chief Clerk of the House of Representatives
Mr. Mark Ritchie, Secretary of State