



STATE OF MINNESOTA

Office of Governor Mark Dayton

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

November 29, 2011

The Honorable Kurt Zellers
Speaker of the House
463 State Office Building
100 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, Minnesota 55155

The Honorable Matt Dean
House Majority Leader
459 State Office Building
100 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, Minnesota 55155

Dear Mr. Speaker and Majority Leader Dean:

It is difficult to discuss my Executive Order regarding family child-care providers with either of you or others, whose opposition to unionization is so apparent. Your November 23rd letter to me states: "In the end, your Executive Order will raise costs on low and middle income families and decrease access to high quality daycare programs." That is your opinion and conjecture; yet you state it as a matter of fact and certainty.

If unions were as destructive as you imply, no one would want to join one. Yet, people do join them, because they often find their collective voice is more effective than their individual voices in improving their wages and working conditions, their health care and retirement benefits, and, in the case of service providers, their clients' care and well being. A union's voice is that of its members, not of some alien force attempting to impose its will on citizens or legislators.

Your letter argues that the election should include all of our state's approximately 11,000 child-care providers. However, AFSCME and SEIU are seeking to organize only the group of some 4300 licensed family child-care providers, who are registered to receive subsidies from the state. If elected, the unions would meet and confer only on their behalf. That limited group of providers is clearly defined by my Executive Order. It could be expanded only by another Executive Order or by legislation.

It is possible that an agreement between a union of licensed, registered child-care providers and a state agency might indirectly affect other providers. However, that occurs in many industries. If workers at a certain company voted to unionize, that company's management and union might agree upon higher wages or seek new legislation, which could affect other companies in the same industry. That would not be cause, however, for allowing the other companies' employees to vote in the first company's union election.

Furthermore, your underlying implication is that a nefarious union and a rogue state agency would, by themselves, be able to make major policy, regulatory, or reimbursement changes, which would severely harm other family child-care providers. You know that is not

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possible under our state's statutes and regulatory procedures. Any change in laws or in reimbursements affecting any or all child-care providers would obviously have to go through the legislative process. Any change in existing rules governing child-care would have to go through an elaborate rule-making process. It appears that you and other opponents of unions are trying to scare small family providers that a big, bad union and the big, bad government will join forces to ruin child care in Minnesota. It isn't true.

As you both know, this controversy preceded by several years my term as Governor. By not calling for an election, my predecessors denied licensed, registered family child-care providers the chance to decide for themselves whether or not they want to form a union. I believe it is their right to make that decision. And I continue to be amazed that in this democracy there are people opposed to allowing them to hold an election to decide the matter among themselves, for themselves.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Dayton', written over the printed name and title.

Mark Dayton
Governor