

Torrey Westrom
State Representative

District 11A
Douglas, Grant and Stevens Counties



Minnesota House of Representatives

December 2, 2011



Dear Dorothy,

On November 15, Governor Dayton signed Executive Order 11-31, which calls for an election to decide whether a union should be formed amongst child care providers. The election is set to take place from December 6th to the 20th. I am writing you to express my deep concerns about the election, and the circumstances surrounding the Governor's executive order. As a child care provider, you should be aware of the consequences of the upcoming election and know whether your voice matters.

First, although the governor claimed to be calling the union election so that "all the people directly affected will have an opportunity to vote," not all of the 11,000+ child care providers in the state will vote in the election. All child care providers will have to live with the decisions of a union, but only the 4,287 providers who receive state subsidies will vote on its formation. The other 7,000 providers will be forced to pay full or "fair share" union dues, and will be subject to additional regulation, even though they were denied the right to vote in this election.

Second, Governor Dayton is relying on dubious legal authority in calling for the election of non-public employees. Minnesota Statute 119B.09, Subdivision 8, makes clear that "[r]eceipt of federal, state or local funds by a child care provider directly or through a parent... does not establish an employee-employer relationship between the child care provider and the county or state." Unionizing child care providers in this way has sweeping implications for the privacy and independence of your business and many others in Minnesota.

Third, there is little to suggest that forming a union for child care providers will increase the quality of child care, but there is significant evidence suggesting it will greatly increase costs for providers and parents. Seven of the fourteen states that have unionized child care providers have seen substantial rate increases, which will add to the financial burden of ordinary families with children and the state. Child care providers are already represented by the Minnesota Licensed Family Child Care Association. Forming a union through SEIU or AFSCME may be an expensive and unpopular way to solve a non-existent problem.

Small businesses drive the Minnesota economy. Decisions affecting your business are best made by you and your customer base. There are far too many unanswered questions from the unions who are pushing this effort to support it. At three legislative hearings, the unions were unable or



simply refused to provide details on how the union would work, and what impact it would have on childcare providers and the parents who entrust them to care for their children. This lack of explanation may explain why, in a recent KSTP poll, 80% of respondents agreed that unionizing providers is a bad idea.

Several resources are available for you to learn more about this election, including:

- You can read the Executive Order and other information at <http://mn.gov/governor/>. The Governor can be reached at 800-657-3717 for questions or concerns.
- For information opposing the union, visit www.childcareunioninfo.com and www.childcarefreedom.com
- For information supporting the union, visit: www.ccpmn.org or www.seiu284.org/
- The Bureau of Mediation Services: www.bms.state.mn.us or 651-649-5421.

If my office or I may be of assistance to you on this matter or other areas of concern, please do not hesitate to contact me.

Sincerely,



Rep. Torrey Westrom
651-296-4329
Rep.torrey.westrom@runestone.net