

Testimony of Jack R. Zimmer
On House Bill 1507
Before the House State Government Committee
June 5, 2014

Chairman Metcalfe, Minority Chairman Cohen, Members of the Committee,
Distinguished Panelists...

My name is Jack Zimmer and I am the President and CEO of the Keystone Chapter of Associated Builders and Contractors. Between the Keystone Chapter and our sister Pennsylvania Chapters, we have over 1,600 commercial construction companies members employing more than 64,000 individuals. Built on the Merit Shop philosophy, ABC represents companies employing over 80% of all construction workers. It is an honor to be here today to offer my thoughts on House Bill 1707, the Paycheck Protection Bill.

This bill is a simple piece of legislation that corrects what must be an oversight in current Pennsylvania Law. We believe this to be the case, because, as we all know, using public resources for political purposes is a crime and is wrong. We know this is the case because we all witnessed dozens of men and women elected to or employed by the Legislative and Judicial branches of government arrested, handcuffed, and convicted for doing such things. Given the number of lives, careers and families ruined, we find it unfathomable that the General Assembly knowingly gave one group a giant exemption to the rules by which everyone else must live.

As I said when I began, ABC has over 1,600 commercial construction company members that employ over 64,000 individuals and that we represent over 80% of the construction industry. Interestingly, we have no law that allows us to use the mechanisms of government to force the

collection of our membership dues. We have to earn our keep every day – and we're a stronger and better organization for doing so. We do this by providing quality services to our members.

In fact, every year we go through a process whereby we bill our members. If we want to be involved in politics, we have a process by which we solicit contributions to our Political Action Committee. Again, there is no law forcing our members to be involved in politics or allowing us to use the power of government to compel the payment of dues.

Interestingly, even with all of these “burdens”, we manage to retain on average over 90% of our members. And we're only able to do this because we provide them with a valuable service.

As is often the case with simple legislation, the opposing side must make hysterical arguments in order to confuse the issue. The issue here is right verses wrong – and as I said earlier, we all know what “wrong” is in this case.

But there are STILL opponents and so, in order to protect the status quo, they create a false argument – a straw man, if you will – to blur the line between right and wrong.

For example, several months ago I saw a rally in the rotunda on television. There were several representatives of organized labor and they were making all kinds of wild claims.

“This bill will change how unions can collectively bargain over wages, benefits, and working conditions.”

Nothing could be further from the truth. HB 1507 simply says that collection of dues and political contributions will no longer be part of the bargaining process. The bill doesn't even touch the subject of wages, benefits, and working conditions.

“This bill will prevent workers from joining a union.”

The bill specifically RE-AFFIRMS that membership in the union as a requirement for employment is still allowed.

“This bill will eliminate union dues and mandatory fee payments.”

Nothing in this bill does any such thing. In fact, the word “eliminate” or any similar word doesn’t appear in the bill.

“This bill will silence workers and infringe upon their freedom of speech.”

Well, my heavens. House Bill 1507 – all three pages of it -- must be mighty powerful if it trumps the first amendment to the United States Constitution.

The truth is House Bill 1507 has nothing to say about these issues.

In fact, the only way ANY of these things would come to pass is if rank and file union members engaged in some form of mass protest and stopped paying their dues.

We at ABC think this is extremely unlikely. We assume that just like ABC, the public sector unions are providing a good service to their members at a fair price. We also assume that because of this, they would have a membership retention rate around 90% -- just like we do! We also believe that rank and file members of a union, just like members of ABC, would pay what they owe for the year. We can’t imagine their members would be some kind of scofflaw.

So, in order for those awful things that some say would result from HB 1507 to actually happen, the leadership of public sector unions must believe they aren’t providing a good service

to their members at a fair price. And because they believe they aren't doing that, they must believe their members are scofflaws and would stop paying their dues in mass protest.

That just can't be the case. As cynical as I can sometimes be, I cannot believe that opponents of this legislation think public sector unions provide a lousy service to members who are scofflaws.

For that reason, one can only conclude that opponents of this legislation believe that it is right and proper to use public resources for politics. And they should have the courage of their convictions and say so!

We believe otherwise. We believe that in a free society it is imperative that public resources should not be used for the political benefit of anyone.

We urge you vote yes on House Bill 1507.