



## Resolution Calling for a Ban on Captive Audience Meetings

**WHEREAS**, the right to collectively bargain is a human right. Article 23 of the Universal Declaration of Human Rights identifies the ability to organize trade unions as a fundamental human right; and

**WHEREAS**, the right to unionize is a constitutional right. The First Amendment of the Constitution guarantees the freedom of speech, assembly, and petition, which also encompasses the freedom of association. U.S. courts recognize freedom of association as a fundamental right, allowing groups to take collective action to pursue their members' interests. Furthermore, the freedom of association for the advancement of shared values is inseparable from the "liberty" assured by the Due Process Clause of the Fourteenth Amendment; and

**WHEREAS**, the right to unionize is a legal right. The National Labor Relations Act (NLRA) guarantees employees the right to organize into unions, engage in collective bargaining, and take collective action. Workers have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or mutual aid and protection; and

**WHEREAS**, captive audience meetings are mandatory meetings where workers are subjected to interrogations, threats, lies, and anti-union propaganda; and

**WHEREAS**, employers who employ union-busting tactics, including captive audience meetings, are not only violating federal law but also infringing upon constitutional and internationally recognized human rights; and

**WHEREAS**, it is estimated that employers spend \$433 million per year on union-avoidance consultants who often conduct captive audience meetings; and

**WHEREAS**, the chance of employees winning a union decreases by a third when employers conduct captive audience meetings; and

**WHEREAS**, in April of 2022, National Labor Relations Board General Counsel Jennifer Abruzzo issued a memorandum to all Field offices, announcing her intention to request the Board to consider captive audience meetings as a violation of the National Labor Relations Act (NLRA). General Counsel Abruzzo's memo stated that captive audience meetings are a "license to coerce" and an "anomaly in labor law, inconsistent with the Act's protection of employees' free choice"; and

**WHEREAS**, the State Legislatures in Connecticut, Minnesota, and Oregon have successfully banned captive audience meetings, with other states considering similar action; and

**WHEREAS**, Montana has a distinguished history of championing labor rights and protecting workers' right to unionize.

**THEREFORE, BE IT RESOLVED** that the Montana AFL-CIO endorses a statewide ban on anti-union captive audience meetings;

**THEREFORE, BE IT FURTHER RESOLVED** that the Montana AFL-CIO submit a letter in support of General Counsel Abruzzo's ban on anti-union captive audience meetings to Montana's Federal Delegation.