

SPECIAL Report



NATIONAL ROOFING CONTRACTORS ASSOCIATION

Legislative Alert!

April 1, 1992

TO: NRCA Members

RE: Striker Replacement and Civil Rights

Very soon, the U. S. Senate will be taking up two important legislative measures that, if they should become law, would have a profound impact on your business.

The first is striker replacement legislation. Before their April 13th Easter recess, the Senate will vote on whether to prohibit you from hiring permanent replacement workers during a strike. The U.S. House of Representatives has already passed its onerous version of the striker bill, and if the Senate should follow suit, the "striker breeder" bill will be dangerously close to becoming law. Do not be fooled -- this will affect union and open shop businesses.

The second issue involves an attempt to lift the monetary caps on punitive damages in cases involving sex, religion and disability discrimination under the so-called civil rights (Quota) bill. When this bill became law, it resulted in making it easier for workers to sue their employers for job discrimination; however, a key compromise imposed monetary caps on punitive damages. Now, the dust hasn't even settled yet on this grand compromise, and Ted Kennedy is pushing legislation through the Senate which would, in effect, open the floodgates even wider by providing an unlimited amount in punitive damage awards to those employees who sue and WIN!

Please deliver this message to your Senator and ask him/her to vote "NO" on the striker replacement bill (S. 55) and the Kennedy civil rights damage caps repeal bill (S. 2062).

The Honorable John Doe
U.S. Senate
Washington, D.C. 20510

Dear Senator Doe:

During the past year, I have become increasingly concerned about the actions of Congress. In my role as a roofing contractor and as a citizen, I feel compelled to contact you with my opinion on

two matters of utmost importance, the striker replacement bill (S. 55) and the Kennedy civil right damage caps repeal bill (S. 2062).

You may not be aware of the impact on small business if the striker bill should become law. If two or more of my employees decide to go on strike, and I am unable to hire replacement workers, I could be out of business. The roofing industry is particularly vulnerable to this legislation because of multiemployer jobsites and strict construction deadlines.

I am also concerned that anytime the strikers decide to return to work, I would have to reinstate the striking workers and fire the temporary workers. Skilled workers are hard to find in my industry, and it would be extremely difficult to get temporary workers who would accept a job knowing they could be fired at any moment.

When S. 55 comes to the Senate floor for a vote, please vote NO.

Though I was not enthralled with the civil rights bill that became law last year, I did find some solace in knowing that there were monetary caps placed on punitive damages for discrimination based on sex, religion or disability. As a small business owner, I am keenly aware that the caps were a crucial part of the compromise that allowed the bill to be passed and signed by the President, and that damage awards are based on company size.

We were told that the compromise would not be tampered with, but even now, Senator Kennedy is pushing a bill to lift the monetary caps on punitive damages. The proponents of the Kennedy bill argue that what you do for one group, you must do for all. If that is so, then for the sake of fairness to small business, I STRONGLY URGE THAT YOU EXTEND THE CAPS ACROSS THE BOARD.

In its current form, the Kennedy bill is unacceptable. Please vote NO when S. 2062 comes to a vote in the Senate.

Businesses across the country, and especially in the construction industry, have been hard hit by the recession. I can't help but question the motives of members of Congress when they support legislation such as the "striker breeder" bill and the civil rights damage caps repeal legislation.

Sincerely,

cc: President George Bush
The White House
Washington, DC 20500

If you need to confirm who your Senator is, please call the Washington office at 800/338-5765

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