

Mary Kate O'Sullivan  
Portland  
LD 1756

Good afternoon and long time no see Senator Tipping, Representative Roeder and the Members of the Joint Standing Committee on Labor and Housing. My name is Mary Kate O'Sullivan and I'm a registered nurse at Maine Medical Center which is a hospital that spent over \$8 million dollars on professional union busting firms in 2021. I'm here to give my unequivocal support for LD 1756, which among other things would ban employer-sponsored mandatory Captive Audience meetings in Maine.

The US Supreme Court recognizes that it is a form of coercion, and a violation of the First Amendment to force people to listen to views other than their own. So why on earth is it still legal for employers to violate the first amendment during a union drive, and force employees into attending union busting meetings?

In early 2021 when my boss insisted on covering my assignment full of very sick Covid patients so that I could attend a captive audience meeting, I could not opt out of attending without risking potential discipline for being insubordinate. And since I didn't have a union at the time, and didn't have 'just cause' disciplinary protections, a refusal to attend an anti-union meeting could have been grounds for termination. To be terminated over refusing to listen to an employer's political views is absolutely unconstitutional and that is why we need this bill to pass.

Union avoidance consultants are professional salespeople that are selling the workers the idea that they do not need a union. And employers need some pretty manipulative people to sell this idea, because according to Gallup polls, 71% of Americans support unions. When given the free choice, Americans would choose a union. But when workers like me are forced by their bosses to be in a room in which they are terrorized with misinformation, when they are singled out and intimidated, and are presented with arguments tailored to their specific fears and uncertainties, the unionbusters have a much better chance at sowing discontent among the workers and scaring people away from voting for a union.

I'm going to share an excerpt from a well-known book by Martin Jay Levitt, who worked as one of these professional "union avoidant consultants" for almost twenty years.

"The only way to bust a union is to lie, distort, manipulate, threaten, and always, always attack. The law does not hamper the process. Rather, it serves to suggest maneuvers and define strategies. Each 'union prevention' campaign, as the wars are called, turns on a combined strategy of disinformation and personal assault."

Now, that's a description by someone who made a very successful living working as one of these consultants. I can tell you that during the professional unionbusting campaign against us nurses at my workplace, we experienced all of those things. This bill would provide the bare minimum constitutional protection of an employee's right to opt out of coercive captive audience meetings. Thank you very much for letting me testify in support of this extremely necessary piece of legislation.