

Who supports worker freedom? Barack Obama or John McCain...you decide

Policy Issue	Sen. Obama	Sen. McCain
Right to Work	Barack Obama Opposes Right to Work.	John McCain Supports Right to Work.
	Key Positions: Opposition to 'Right to Work' laws is part of Obama's platform. (http://my.barackobama.com/page/content/laborissues)	Key Positions: McCain has a strong record of supporting a National Right-to-Work Act that would protect the freedom of workers to form, join, or assist labor organizations, or to refrain from such activities. (S. 370, introduced 02/14/05, co-sponsored by McCain; S. 1788 Vote 188, 7/10/96)
Public Sector Collective Bargaining	Barack Obama Supports Expanded Public Sector Collective Bargaining.	John McCain Opposes Expanded Public Sector Collective Bargaining.
	Key Positions: Obama supports the Public Safety Employer-Employee Cooperation Act. (http://my.barackobama.com/page/content/laborissues) Obama voted to extend collective bargaining rights to 43,000 Transportation Security Administration (TSA) screeners. (S.Amdt. 316 to S.Amdt. 275 to S. 4, Vote 64, 3/7/07)	Key Positions: McCain voted against extending collective bargaining rights for TSA screeners, thus protecting this important national security function from union inefficiency. (S.Amdt. 316 to S.Amdt. 275 to S. 4, Vote 64, 3/7/07) McCain also voted against proposed collective bargaining legislation for Police and Firefighters. (H.R. 3061, Vote 323, 11/6/01; S. 2123, 10/1/07; H.R. 980, Vote 126, 5/13/08)
Paycheck Protection	Barack Obama opposes Paycheck Protection.	John McCain Supports Paycheck Protection.
	Key Positions: Opposition to Paycheck Protection is part of Obama's platform. [http://my.barackobama.com/page/content/laborissues]	Key Positions: John McCain supported The Paycheck Protection Act, stating that "America's workers should not be compelled to pay dues to support the political agendas of the unions." (http://airlinepilotsforobama.info/ALPA-Questionnaire-McCain.pdf) McCain also campaigned in support of a Paycheck Protection ballot proposition in California. (http://realclearpolitics.com/Commentary/com-10_1_05_RN.html)

Card Check	Barack Obama Supports "Card Check"	John McCain Opposes "Card Check"
	<p>Key Positions: Obama cosponsored and voted for the ironically named Employee Free Choice Act. (http://my.barackobama.com/page/content/laborissues; H.R. 800, Vote 227, 6/26/07) Obama stated this act "will allow workers to form a union through majority sign-up and card-checks" and that the "choice to organize should be left up to workers and workers alone." (Obama Senate Press Release, 6/20/07) However, the act would in reality take away workers' right to a secret ballot in voting for unionization, thus increasing union coercion of workers.</p>	<p>Key Positions: McCain opposes card check and voted against the Employee Free Choice Act. (http://www.johnmccain.com/Images/Issues/JobforAmerica/briefing.pdf; H.R. 800, Vote 227, 6/26/07)</p>
Minimum Wage	Barack Obama Supports An Ever Increasing Federal Minimum Wage	John McCain Has Supported Minimum Wage Increases But Believes They Should Be Decided By the States
	<p>Key Positions: Obama supports blanket minimum wage increases that make it difficult for small businesses to hire additional American workers. In 2005 Republicans proposed a minimum wage increase that would have provided offsetting tax benefits for small business owners. (S.Amdt. 2115 to H.R. 3058, CQ Vote 258 10/19/05) Obama supports indexing the federal minimum wage to inflation and increasing it to \$9.50 an hour by 2011. (http://my.barackobama.com/page/content/laborissues) Obama voted to raise the federal minimum wage in 2005, 2006 and 2007. (S.Amdt. 4322 to S. 2766, Vote 179, 6/21/06; S.Amdt. 44 to S. 256, Vote 26, 3/7/05; H.R. 2, Vote 23, 1/24/07) Obama voted against granting states the right to determine minimum wages. (S.Amdt. 116 to S.Amdt. 100 to H.R. 2, Vote 24, 1/24/07)</p>	<p>Key Positions: McCain has a record of balancing the few minimum wage increases he has supported with exemptions to small businesses and efforts to have these issues decided by the states. In 2005, McCain voted against a blanket minimum wage increase and voted for a Republican amendment to offset the impact of a minimum wage increase with exemptions and offsetting business tax credits. (S.Amdt. 44 to S. 256, Vote 26, 3/7/05; S.Amdt. 2115 to H.R. 3058, CQ Vote 258 10/19/05) McCain voted to repeal the minimum wage laws in 45 states and allow the other five states to opt out of any future minimum wage increases above \$5.15 an hour. (H.R. 2, Vote 23, 1/24/07; S.Amdt. 116 to S.Amdt. 100 to H.R. 2, Vote 24, 1/24/07; Vote 25, 1/25/07; Vote 37, 1/31/07; Vote 39, 1/31/07; Vote 42, 1/31/07; S. 2766, Vote 179, 6/21/06)</p>

Pension Reform	Barack Obama Prefers Defined Benefit Pensions	John McCain Prefers Defined Contribution Pensions
	<p>Key Positions: The best indicator of Obama's position on defined contribution plans is his opposition to providing workers with the freedom to choose to contribute to a personal Social Security account. http://my.barackobama.com/page/content/laborissues Obama supports traditional defined benefit pensions, but proposes new transparency requirements. He would mandate all employers provide their workers with the option of a defined benefit or a defined contribution pension program. http://my.barackobama.com/page/content/laborissues Obama voted to maintain state defined pensions while in the Illinois Senate. (S.B. 1270, 03/98)</p>	<p>Key Positions: McCain supports supplementing the current Social Security system with personal accounts in the form of defined contribution plans. http://www.johnmccain.com/Images/Issues/JobforAmerica/briefing.pdf This option expands worker's investment options and will result in a far greater retirement return on workers' forced Social Security taxes. McCain voted against the Pension Funding Equity Action of 2004, a bill to bail out underfunded defined benefit pensions, including those mis-managed by labor unions. (H.R. 3108, Vote 5, 01/28/04.)</p>
Privatization	Barack Obama Opposes Privatization	John McCain Supports Privatization
	<p>Key Positions: Obama voted against authorizing Walter Reed Army Hospital to contract with private companies that would more cost-effectively provide services currently provided by federal employees. (S.Amdt. 4895 to H.R. 5631, Vote 234, 9/6/06)</p>	<p>Key Positions: McCain voted for authorization of private contracting at Walter Reed Army Hospital. (S. Amdt. 4895 to H.R. 5631, Vote 234, 09/06/06)</p>
Competitive Sourcing	Barack Obama Opposes Competitive Sourcing Except in Emergency Situations	John McCain Supports Competitive Sourcing
	<p>Key Positions: Obama voted against legislation that would have increased competition in government contracting and procurement. (Motion to table S.Amdt. 4230 to S. 2766, Vote 169 06/14/06) Obama sponsored an amendment to require limited competition for Federal contracts related to hurricane recovery. The amendment passed the senate by unanimous consent. (S.Amdt. 4254 to S.2766, 06/16/06)</p>	<p>Key Positions: McCain voted for legislation that would have increased competition in government contracting and procurement. (Motion to table S.Amdt. 4230 to S. 2766, Vote 169 06/14/06)</p>

Prevailing Wage / Davis Bacon Act	Barack Obama Supports Davis Bacon	John McCain Opposes Davis Bacon
	<p>Key Positions: Part of Obama's Platform is to Expand the Coverage of Davis Bacon. [http://my.barackobama.com/page/content/laborissues] Obama has voted against a proposal to remove prevailing wage requirements from bridge construction projects. (S.Amdt. 2844 to H.R. 3074, Vote 334, 9/12/07; Barack Obama speech to Building Trades Conference, 4/15/08)</p>	<p>Key Positions: McCain supported an amendment to prohibit application of Davis-Bacon prevailing wage requirements in declared federal disaster areas, thus prioritizing disaster recovery over union pandering. [S. 1650, Vote #320, 10/7/99]</p>
Union Financial Transparency	Barack Obama Opposes Increased Labor Union Financial Transparency	John McCain Supports Increased Labor Union Financial Transparency
	<p>Key Positions: Obama missed the vote on an amendment to increase Office of Labor Management Standards funding, thus failing to provide the necessary resources for the Department of Labor to enforce existing union financial disclosure laws. (S.Amdt. 3373 to H.R. 3043, Vote 380 10/18/07) Amazingly, right before receiving their endorsement, Obama privately promised the Teamsters union he supported ending the strict federal oversight imposed to root out widespread corruption and mob ties in the union. Obama spokesman Tommy Vietor stated Obama's belief that the Department of Justice oversight board "has run its course." This, in spite of the fact that the DOJ board and former Teamster lawyer Edwin Stier agree the Teamsters have not taken steps necessary to self-police for corruption. ("Obama Says Teamsters Need Less Oversight," WSJ (05/05/08))</p>	<p>Key Positions: McCain voted to increase Office of Labor Management Standards funding, thus providing the necessary resources for the Department of Labor to enforce existing union financial disclosure laws. (S.Amdt. 3373 to H.R. 3043, Vote 380 10/18/07)</p>

Regulatory Reform	Barack Obama Favors Increasing the Regulatory Burden On Business	John McCain Supports Reforms to Decrease Employer Regulatory Burdens
	<p>Key Positions: Obama cosponsored the Protecting America's Workers Act, which will expand OSHA and increase penalties on businesses for workplace injury. Obama would increase funding for the Equal Employment Opportunity Commission. (http://my.barackobama.com/page/content/laborissues)</p> <p>Obama supports the ADA Restoration Act, which would increase employer costs by requiring them to accommodate an expanded definition of "disabled" workers. (http://www.barackobama.com/pdf/DisabilityPlanFactSheet.pdf)</p>	<p>Key Positions: McCain believes OSHA policies need to be reviewed "to ensure it does not overburden American employers." (H.B. 4577, Vote 143, 06/22/00). He voted to rescind burdensome Occupational Safety and Health Administration (OSHA) ergonomic standards. (S.J.Res. 6, Vote 15, 03/06/01) McCain opposes Obama's Protecting America's Workers Act. However, McCain, like Obama, supports the ADA Restoration Act. (http://www.msnbc.msn.com/id/25865260/)</p>
<p>Family Medical Leave Act (FMLA)</p>	<p>Barack Obama Supports Expanding the Scope of the FMLA, further Burdening Small Business and Taxpayers</p>	<p>John McCain Opposes New and Existing Provisions of the FMLA that Burden the Small Businesses that Comprise the Largest Source of New American Jobs</p>
	<p>Key Positions: Obama proposes extending the FMLA to cover businesses with 25 or more employees. He would extend it to allow workers to take leave for elder care needs, allow parents up to 24 hours of leave each year to participate in their children's academic activities and cover leave for employees to address domestic violence. Furthermore, he would provide \$1.5 billion to states to adopt expensive new paid leave policies. (Obama for America)</p>	<p>Key Positions: Ultimately, McCain Voted for the FMLA in 1993. However, McCain first voted to suspend the act unless the federal government either certified that compliance would not increase costs for business or provided financial assistance to businesses to cover any costs associated with implementing the law. [S. Amdt. 16, S. 5, Vote #7, 2/4/93; H.R. 1, Vote #11, 2/4/93]</p>

Independent Contractor Reform	Barack Obama Opposes Worker Freedom to Avoid Unionization by Acting as Independent Contractors	John McCain does not appear to have taken a public position on this issue.
	Key Positions: Obama introduced the Independent Contractor Proper Classification Act of 2007 to ensure workers may not escape unionization by becoming independent contractors. (http://my.barackobama.com/page/content/laborissues ; S. 2044, introduced 09/12/07)	Key Positions: Position Unknown. Doesn't look like he has taken a position. (See comments on http://law.lexisnexis.com/practiceareas/Workers-Compensation/Larsons-Legislative-Developments/Employee-Buyouts-Limited-by-Worker-Mischaracterization-Legislation-Proposed-by-Senator-Obama and http://www.agc.org/cs/advocacy/presidential_candidate_comparison)
Ledbetter "Fair Pay Act."	Barack Obama Supports the Ledbetter Fair Pay Act.	John McCain Opposes the Ledbetter Fair Play Act.
	Key Positions: Obama voted for the Ledbetter Fair Pay Act which would have drastically increased discrimination claims against employers. (H.R. 2831, Vote 110, 4/23/08)	Key Positions: McCain declared on April 23, 2008, that "I am all in favor of pay equity for women, but this kind of legislation, as is typical of what's being proposed by my friends on the other side of the aisle, opens us up to lawsuits for all kinds of problems." (The NY Sun, 4/30/08)
Free Trade	Barack Obama Opposes Free Trade	John McCain Supports Free Trade
	Key Positions: Obama opposes free trade agreements like NAFTA and the Central American Free Trade Agreement unless they mandate that U.S. trading partners adopt the same oppressive labor and environmental regulations that have limited worker freedom and opportunity in America. (http://my.barackobama.com/page/content/laborissues) Obama voted against the Central American Free Trade Agreement, thus opposing an increased market for American made goods. (S. 1307, Vote 170 06/30/05)	Key Positions: McCain supports additional free trade agreements which he correctly believes give American workers more access to sell goods and services abroad, where 95 percent of our potential customers reside. (http://www.johnmccain.com/Issues/JobsforAmerica/trade.htm) McCain voted for the Central American Free Trade Agreement, thus acting to increase the market for American made goods. (S. 1307, Vote 170 06/30/05)

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<u>Policy Issue</u>	<u>Obama</u>	<u>McCain</u>
Right to Work	Opposition to 'Right to Work' laws is part of Obama's platform.	McCain cosponsored the National Right-to-Work Act.
Collective Bargaining	Obama Supports the Public Safety Employer-Employee Cooperation Act and voted to extend collective bargaining rights to TSA screeners.	McCain voted against extending collective bargaining rights to TSA screeners and other public safety workers, thus protecting important security functions from union inefficiency.
Paycheck Protection	Opposition to Paycheck Protection is part of Obama's platform.	McCain supported The Paycheck Protection Act.
Card Check	Obama cosponsored the Employee Free Choice Act, which would take away workers' right to a secret ballot in voting for unionization.	McCain opposes card check and voted against the Employee Free Choice Act.
Minimum Wage	Obama voted for three separate blanket minimum wage increases and voted against measures that would have providing offsetting small businesses tax credits.	McCain voted to balance any minimum wage increase with offsetting small business tax credits.
Pension Reform	Obama would increase transparency on defined benefit pensions, but prefers them to defined contribution programs, as evident from his opposition to personal Social Security savings accounts and his vote to maintain state run defined pensions in Illinois.	McCain is sceptical of defined benefits programs, as evident from his vote against the Pension Funding Equity Act of 2004. His preference for defined contribution programs is evident from his support for personal Social Security savings accounts.
Privatization	Obama voted against authorizing Walter Reed Army Hospital to contract with private companies that would more cost-effectively provide services.	McCain voted for authorization of private contracting at Walter Reed Army Hospital.

Competitive Sourcing	Obama voted against legislation that would have increased competition in government contracting and procurement, but did vote to require limited competition for Federal contracts related to hurricane recovery.	McCain voted for legislation that would have increased competition in government contracting and procurement.
Prevailing Wage / Davis Bacon Act	Expansion of Davis Bacon is part of Obama's platform and he voted against past decreases to its coverage.	McCain supported prohibited application of Davis-Bacon prevailing wage requirements in declared federal disaster areas, thus prioritizing disaster recovery over union pandering.
Union Financial Transparency	Obama missed a key vote to increase Office of Labor Management Standards funding, thus failing to support existing union financial disclosure laws. Obama privately promised the Teamsters he supported ending federal oversight imposed to root out widespread corruption and mob ties in the union.	McCain voted to increase Office of Labor Management Standards funding, thus providing the necessary resources to enforce existing union financial disclosure laws.
Regulatory Reform	Obama cosponsored the Protecting America's Workers Act, which will expand OSHA and increase penalties on businesses for workplace injury. Obama would increase funding for the Equal Employment Opportunity Commission and supports the ADA Restoration Act, which would increase employer costs by requiring them to accommodate an expanded definition of "disabled" workers.	McCain believes OSHA policies need to be reviewed "to ensure it does not overburden American employers." He voted to rescind burdensome OSHA ergonomic standards. McCain opposes Obama's Protecting America's Workers Act. However, McCain, like Obama, supports the ADA Restoration Act.
Family Medical Leave Act (FMLA)	Obama supports expanding the scope of the FMLA, further burdening small business and taxpayers.	McCain opposes new and existing provisions of the FMLA that burden the small businesses that fuel American job growth.

Independent Contractor Reform	Obama introduced the Independent Contractor Proper Classification Act of 2007 to ensure workers may not escape unionization by becoming independent contractors.	McCain does not appear to have taken a position on this issue based on our research.
Ledbetter "Fair Pay Act."	Obama voted for the Ledbetter "Fair Pay Act."	McCain opposes Ledbetter as a regulatory measure opening employers up to an unending series of lawsuits.
Free Trade	Obama opposes free trade agreements unless U.S. trading partners adopt the same oppressive environmental and workplace regulations that have limited worker freedom and opportunity in America.	McCain supports free trade agreements which give American workers more access to sell goods and services abroad, where 95 percent of our potential customers reside.