



Associated Builders
and Contractors, Inc.

**Eastern
Pennsylvania
Chapter**

Judiciary Committee Hearing

HB 1154

Aug. 22, 2013

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Mary Tebeau, President

As President & CEO of ABC Eastern Pa., I've been employed by ABC in two different states since 2000. Over the years, I've witnessed numerous incidents of vandalism, harassment and threats that would be identified as a crime and grounds for jail time.

We've heard from several individuals today regarding the attacks they've been the target of simply because they choose to operate their companies and run a construction job with merit shop principles. Unfortunately, even when it's known who the culprit of these evil actions are the unions have an exemption under the state's Labor Anti-Injunction Act, passed in 1937.

The examples you've witnessed today are a fraction of the violence that's taken place for decades, going back far before the infamous 1972 Leon Altemose attack at the hands of the unions at a commercial hotel complex in Valley Forge. Why should any group be exempt from the criminal code? Will it take more violence, serious injury, or even death for a change to be made?

The ABC Eastern Pa. Chapter represents over 15,000 merit construction employees who work for its more than 400 member companies. It was founded on the shared belief that construction projects should be awarded based on merit to the most qualified and responsible low bidders.

Nationally, ABC represents more than 22,000 merit shop construction and construction-related firms with nearly two million employees that work safely, ethically and profitably for the betterment of the communities in which they work.

For today's topic, the federal government plays the lead role but state governments also have the power to establish certain ground rules. Prosecution for violent actions is left up to the states based on individual laws, and some of these state laws are overly protective of unions.

As you've heard today, Pa. labor unions have repeatedly attacked their open shop counterparts through displays of intimidation, stalking, trespassing, terrorism, and personal and property injury. The state of Pa. has a responsibility to its citizens and these activities are at odds with common sense.

Examples of union favoritism under state laws tend to occur in criminal statutes and allow individuals who engage in objectionable behavior to avoid prosecution solely because they are participating in some form of labor activity. These exemptions exist in laws covering obnoxious behavior as well as those that regulate potentially serious threats to the safety of the public.

Union representatives engage in behavior aimed at harassing individuals with whom they disagree. These activities are unsettling to just about anybody who experiences them, but unions defend these tactics as their right to air grievances.

For example, the state of Pennsylvania defines stalking as “engaging in a course of conduct or repeatedly committing acts toward another under circumstances that demonstrate intent to cause substantial emotional distress to the person.” But the state provides an exemption from the crime of stalking by stating the prohibition on stalking “shall not apply to conduct by a party to a labor dispute.”

Giving a legal carve out for labor unions to threaten and harass others leaves victims with limited options to protect their own safety as well as the well-being of their families, employees and the public. Many construction workers and employers know all too well that aggressive attack campaigns often rely on tactics such as trespassing, intimidation, and even stalking—actions that would be illegal under any other circumstances.

Unions have played an important role in the history of the American worker however it is difficult to justify laws that place union members’ concerns above the welfare and safety of all others. In conclusion, I ask you again - why should any group be exempt from the criminal code? I urge you to vote for HB 1154.