

# TOM UMBERG

SENATOR, 34<sup>TH</sup> SENATE DISTRICT

## SCA 7: The Right to Organize and Negotiate

### SUMMARY

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A constitutional amendment proposal, “The Right to Organize and Negotiate Act” would enshrine the current statutory and fundamental right for workers in both the public and private sectors to join a union and collectively bargain.

Specifically, the amendment does the following:

- Enshrines the right to organize and negotiate with employers in the California Constitution
- Invalidates new laws and ordinances that violate the rights above

SCA 7 will constitutionally protect the right of workers to come together in a workplace and negotiate with their employer over terms and conditions of employment.

### BACKGROUND

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California has a long, established, and celebrated labor history with numerous laws in place to uphold and protect union activity and support workers’ basic rights to organize and enact protections in their workplaces.

That said, all levels of government have been subject to efforts in the last four decades to dismantle union contracts and erode labor protections. These campaigns have contributed to a significant shift in the distribution of household wealth away from a strong, blue-collar middle class to a disproportionately small number of individuals, widening the income gap in the state.

Workers who were once in the middle class are falling behind financially, and the most marginalized workers (predominantly Black and Latino workers, immigrants, and women) are just one paycheck away from losing their home or facing financial disaster.

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State safety net programs that were originally designed to help workers through difficult times are now being relied upon regularly as low and middle-income wage earners struggle to survive in California.

### SOLUTION

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On the national level, twenty-eight states have anti-worker laws. In November 2022, Tennessee became the tenth in the nation to include an anti-worker provision in its constitution.

In comparison, five states have a provision to protect worker collective bargaining rights in their state constitutions – New York, Hawaii, Missouri, New Jersey, and most recently, Illinois. SCA 7 will be the 6<sup>th</sup>.

A recent Gallup showed that seventy-one percent of Americans currently approve of labor unions, representing the highest Gallup has recorded on this measure since 1965.

Now is the time for California to maintain and celebrate its commitment to worker rights to organize and bargain collectively by passing SCA 7 to embed these core values in our State Constitution.

### SUPPORT

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State Building and Construction Trades Council (Sponsor)  
California Labor Federation (Co-Sponsor)  
Superintendent Tony Thurmond (Co-Sponsor)  
Lieutenant Governor Eleni Kounalakis  
Actors’ Equity  
California Federation of Teachers, AFL-CIO  
California/Nevada Conference of Operating Engineers  
California School Employees Association  
California State Association of Electrical Workers  
California State Council of Laborers  
California State Legislative Board of SMART-TD  
California State Pipetrades Council  
Disability Rights California

IBEW, Local 1245  
SEIU California  
Sheet Metal Workers, Local 104  
Transport Workers Union of America  
UC-AFT  
UDW/AFSCME, Local 3930  
UFCW, Western States Council  
United Auto Workers  
United Nurses Association of California/Union of Health  
Care Professionals  
United Steelworkers, District 12  
Western States Council of Sheet Metal Workers

**FOR MORE INFORMATION**

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