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SENATE RESOLUTION NO. 28

Offered February 7, 2011

Memorializing the Congress of the United States to honor the natural right of an individual to privately exercise his or her own judgment free from coercion or intimidation when making decisions that affect his or her life, liberty and pursuit of happiness.

Patrons—Newman, Stosch, McDougle and McWaters

Referred to Committee on Rules

WHEREAS, in March 1775, the members of the Virginia Convention-being assembled in secrecy in Saint John's Church in Richmond due to the closing of the House of Burgesses by the British crown-resolved to defend the right of self-governance, a triumph for human free will represented best in Patrick Henry's timeless expression of individual self-determination: "I know not what course others make take; but as for me, give me liberty, or give me death," thereafter moving Virginia into the forefront of a continental struggle for freedom; and

WHEREAS, George Mason's Declaration of Rights was adopted by the Virginia Convention on June 12, 1776, seventeen days prior to the adoption of the Virginia Constitution-the first constitution written by the people's representatives in the history of the world-underscoring the value that our Commonwealth's founding fathers placed on protecting the God-given rights of the individual over any organizational structure created by mankind; and

WHEREAS, the decisions made in the voting booth are the most profound expressions of individual self-determination and exemplify the natural rights penned by Virginia's own Thomas Jefferson in the Declaration of Independence, as such choices most clearly reflect the principles of our Commonwealth's form of democratic governance; and

WHEREAS, our Commonwealth's cherished right to work laws have been critical in protecting an individual's natural rights to life, liberty, and the pursuit of happiness, as they prevent one from being compelled to join an organization against his or her free will as a condition of employment; and

WHEREAS, just as the American electoral process has traditionally valued voter privacy, keeping a citizen's vote between that citizen and the ballot, an individual deliberating whether or not to join a union should be afforded the same privacy so as to make the most rational decision, insulated from threats, coercion, and intimidation, in his or her own self-interest; and

WHEREAS, the Congress of the United States has considered legislation, including the so-called "Employee Free Choice Act," that would put in jeopardy the secret ballot in the workplace; and

WHEREAS, any measure that seeks to amend the provisions allowing secret ballot voting for unionization contradicts Virginia's historical commitment to self-determination and freedom of choice by subjecting employees to coercion and intimidation at the hands of either their employer or their fellow employees; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Congress of the United States be urged to honor the natural right of an individual to privately exercise his or her own judgment free from coercion or intimidation when making decisions that affect his or her life, liberty, and pursuit of happiness; and, be it

RESOLVED FURTHER, That the Commonwealth of Virginia, by this resolution, serves notice to the federal government of the position of the Senate of Virginia that any measures that jeopardize the secret ballot in workplace decisions on unionization and any mandates that threaten, weaken, or dissolve Virginia's laws protecting one's right to work should be defeated; and, be it

RESOLVED FINALLY, That the Clerk of the Senate transmit copies of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Virginia Congressional Delegation so that they may be apprised of the sense of the Senate of Virginia in this matter.

INTRODUCED

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