

## **Radical Changes in Union Organizing are Coming – Is Your Company Ready?**

With the 2008 elections behind us and 2009 well underway, the new President and Congress are expected to pass legislation that will dramatically change the employment and labor laws in this country. Companies, particularly those with nonunion workforces, that fail to recognize and plan for these changes could face significant risk of unionization and liability. Is your company ready?

The Employee Free Choice Act (EFCA), the highest legislative priority for organized labor, would allow unions to gain representation rights over employees merely by obtaining their signatures on authorization cards or petitions, eliminating secret ballot elections conducted by the NLRB. In today's more sophisticated, stealth campaigns, a company's workforce could be organized before management is even aware of the organizing effort. There will be no time, like the 42 days typically allowed under the current election process, for a company to communicate with employees about the realities of unionization and why a union would not be employees' or the company's best interest. The union victory will be secured based on what employees know and believe when they are asked to sign a union card or petition – today, tomorrow or next year.



Attendees learn more about the Employee Free Choice Act at the Lowcountry briefing in January. Other briefing locations included Orangeburg, Greenville, Columbia and Myrtle Beach.

Other legislative proposals would further enhance the success of union organizing efforts. The Re-Empowerment of Skilled and Professional Employees and Construction Tradesworkers Act ("RESPECT") would effectively redefine who is a "supervisor" under the National Labor Relations Act. This law would allow many front-line supervisors to support and join unions. This change would effectively undermine many companies' front-line defense to union organizing efforts and a critical communication link between management and employees. The Patriot Employers Act would require companies seeking to qualify for a tax credit to remain neutral in the face of labor campaigns, even further enhancing the likely success of any union organizing effort.

The time to act is now, before these laws are enacted.



The S.C. Manufacturers Alliance has hosted a series of free seminars across the state to educate manufacturers about the impact of the proposed "Employee Free Choice Act." Manufacturers are encouraged to learn more and to better understand not only the mechanics of the proposed bills, but also the steps they should take to prepare for the legislation's enactment.

The seminars have been conducted by Mr. Mark Stubley, Shareholder, Ogletree, Deakins, Nash, Smoak & Stewart, P.C. For assistance or more information, Mr. Stubley can be reached at 864.271.1300 or Mark.Stubley@odnss.com.



### Additional Employee Free Choice Act (EFCA) Resources:

- To better assist manufacturers' efforts to engage employees in this issue, the National Association of Manufacturers (NAM) has prepared a web-based EFCA Toolkit that provides background information, polling data, facts about the bill in order to help with your communications. **Toolkit available at [www.nam.org/efca](http://www.nam.org/efca).**
- Contact United States Senators and Representatives – [www.house.gov](http://www.house.gov) and [www.senate.gov](http://www.senate.gov).
- [www.MyPrivateBallot.com](http://www.MyPrivateBallot.com)

# Message from the 2009-2010 LMC Board of Directors Chairman

The Lowcountry Manufacturers Council (LMC) has existed for many years in the Charleston region as a local manufacturing alliance, providing programs and support to our regional businesses. A year and a half ago, we partnered with the S.C. Manufacturers Alliance (SCMA) to strengthen our efforts, expand our resources, and to be better prepared for future endeavors.

The LMC, together with SCMA, must continue on the strategic path and maintain the commitment to initiatives we defined earlier this year, despite the increasing economic pressures. Maintaining a commitment to these initiatives can be challenging and will take everyone's involvement.

We must insure that we are helping prepare our members for their continued success now and in the future. We must be willing to fully support one another in our regional and statewide efforts. We must be focused on the development of our current and future workforce, as well as establishing a position around how best to go about choosing altruistic causes, deploying resources and ensuring that our resources are well-used. We have the social responsibility to support various constituencies by being good corporate partners and providing benefits to our manufacturing companies. We will continue to balance our philanthropic endeavors against our responsibility of maximizing our returns.



*Working together with a common purpose.*

The current economic turbulence and market pressures can create pressures and means that alignment of social and business benefits of the LMC and SCMA is more critical than ever when justifying involvement with our manufacturing businesses.

Going forward, collaboration between the LMC/SCMA membership may prove most effective in maximizing impact and insuring future success.

As Chairman of the Board, together with our Executive Director and the LMC Board of Directors, we accept our mission and continue to strive for the success of our organization and the ones we represent and support.



*The 2009-2010 LMC chairman Mr. Hank Bennett is the Director of the Technical Engineering and Facilities department for Robert Bosch LLC in North Charleston. A 1979 graduate of Clarkson College of Technology in Potsdam, NY, with a degree in Mechanical and Industrial Engineering, he has spent 28 years in manufacturing*

*Mr. Bennett has a broad range of experience – from machining to assembly/test; product development/start-up to transfer/phase out; engineering to operations, primarily in the automotive industry. His career has mostly been in the United States, but he also spent three years abroad in Bamberg, Germany.*

*Originally from New York, Mr. Bennett has lived in Summerville for the last 23 years. He has been married for 28 years to his wife, Maureen, and they have two sons, Henry and Brendan. In his spare time Mr. Bennett enjoys golf and boating.*



## 2009 Events

March 16	Plant Safety Conference; The Radisson, Columbia SC
March 19 - 21	SCMA Annual Meeting; Charleston Place Hotel
April 23 - 25	Manufacturing Managers Division Meeting; The Marriott, Myrtle Beach, SC
April 21	LMC Member Appreciation Golf Event, North Charleston, SC
May 12	Made in South Carolina Reception; Columbia, SC; 6-10 p.m.
June 9	LMC Night with the RiverDogs



*View calendar online and register for events at [www.lmcsc.org](http://www.lmcsc.org) or [www.myscma.com](http://www.myscma.com).*

# Welcome to the Newest LMC Members



The Scotts Miracle-Gro Company is the world's largest marketer of branded consumer products for lawn and garden care, with products for professional horticulture as well. With

the most recognizable brands in the industry, Scotts Miracle-Gro products are No. 1 in every major category in which they compete. Scotts Miracle-Gro is a leader with its product innovation, leading advertising and operational excellence in an industry with more than \$8 billion in retail sales of lawn and garden products globally.

Through continuous product innovation, Scotts Miracle-Gro has made a major impact in the global consumer lawn and garden market with its top brands and variety of products.

The Scotts Miracle-Gro Company is also committed to corporate social responsibility through various recycling, environmental and sustainability initiatives. In addition, the Company supports numerous community efforts throughout the country.

Locally, the North Charleston plant employs 22 full-time associates and produces Osmocote®, a plant food offered in several varieties. Scotts also has a growing media plant and bird food plant in the Upstate, as well as a distribution warehouse near Greenville. Learn more online at [www.scotts.com](http://www.scotts.com).



Raisio Staest US Inc., located in the Eastport Industrial Park in Summerville, S.C., is a global manufacturer of stanol ester, a food ingredient used in products such as margarine, yogurt, cereals, milk and cheeses that has been clinically proven to lower cholesterol and to improve the health and well-being of blood vessels. The parent company, Raisio, is situated in Finland and is a forerunner in the food and feed industries and a specialist in plant-based nutrition.



Raisio Staest US Inc. officially opened its production plant in Summerville in January 1999. The parent company, Raisio, operates through three divisions: Feed & Malt, Food and Ingredients. The Summerville facility is part of the Ingredients Division. Eighteen people are employed at the Summerville site.

Globally, the Raisio group operates seven production facilities located in three countries: Finland, Poland and the U.S. Raisio products are sold in more than thirty countries on five continents. In the United States, the company's branded product, Benecol®, is



used in Benecol® Spread and Benecol® Smart Chews, both manufactured by McNeil Nutritionals (a division of Johnson & Johnson). In addition to the United States, Raisio Staest US Inc. exports stanol ester to customers in South America, Asia, Europe and Africa. Learn more online at [www.raisiogroup.com](http://www.raisiogroup.com).

The Lowcountry Manufacturers Council continues to have a positive impact on the community through its partnership with the Lowcountry Food Bank (LCFB). At a time when the Food Bank is experiencing an increased need, the LMC leadership is proud of its commitment to the LCFB and encourages all manufacturers to support community organizations. The LMC hosted its holiday luncheon at the Food Bank's new facility off Azalea Drive in North Charleston. More than 30 guests attended. In January, LMC members volunteered to assemble back packs that would be distributed to children in need so that they would have a source of nourishment over the weekend. Utilizing lean principles and implementing process-improvement procedures, the LMC team had a very efficient system in place which led to a record-setting assembly time. LMC Board Members also attended the 2009 Chef's Feast, the Food Bank's annual fundraising event.

To get involved with the Lowcountry Food Bank or to learn more, visit them online at [www.lowcountryfoodbank.org](http://www.lowcountryfoodbank.org).



LMC members gather in December for the LMC Holiday Luncheon at the Lowcountry Food Bank. Following lunch, members toured their new facility.



Representatives of LMC Board Member companies volunteered in January to assemble back packs for the "Back Pack Buddies" program.



A regional division of the South Carolina Manufacturers Alliance 

P.O. Box 61569  
North Charleston, SC 29419-1569  
www.lmcsc.org - www.myscma.com  
(843) 574-6300 - Charleston  
(803) 799-9695 - Columbia

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*Serving Manufacturers in the Lowcountry and throughout South Carolina*

# S.C. Manufacturers Alliance Annual Meeting

Thursday, March 19 - Friday, March 20, 2009

(Saturday, March 21 - Golf)

Charleston Place Hotel

Network with other manufacturers and take advantage of informative business sessions, evening socials and make your issues known to state legislators. The annual meeting is not to be missed.

## Speakers and guests to include:

- S.C. Representatives Harry Cato, Bill Sandifer, and Jeff Duncan
- S.C. Speaker of the House Bobby Harrell
- Mr. Lonnie Carter, Santee Cooper
- Secretary Joe Taylor, S.C. Department of Commerce
- S.C. Senator Glenn McConnell
- Mr. Lewis Smoak, Ogletree Deakins Law Firm
- Special Address from Mayor Joe Riley
- Manufacturers from across South Carolina

**Lowcountry Manufacturers: Reduced registration fee to attend daytime business sessions only.**

Full agenda and registration information available online at [www.myscma.com](http://www.myscma.com) or call 803-799-9695.