

Hello, my name is Rebeka Mendelsohn, and I want to thank you all for being here and allowing me to speak on behalf of the Vermont Protect the Right to Organizer Act, or PRO Act today. As a small introduction, I am a recent graduate from the University of Vermont, and had my first true experience with labor organizing during my senior year, working at the local Ben & Jerry's on church street back in April 2023.

As a student, with little understanding of my rights as a worker and no understanding of organizing, deciding to embark on a union campaign to address some of the serious health and safety concerns our staff had as employees on church street was beyond daunting. However, the work we collaborated on as scoopers to eventually win our union election was uniquely positive.

This experience now informs my ability to speak about the general nuances of the union-election process, and what exactly allowed for our historic union win. As a former Scooper and a generally labor-conscious individual, I endorse the "PRO" Act as it advocates for the lived experience I had and its success. This act is an extension of the common courtesy our employer showed us, as a unionizing staff, and one we hope to see become accessible to all. Though I support all three of the main goals of this act, I can speak most directly to the importance of respecting majority staff support and the inclusion of "card checks".

Before filing for our election, our organizing committee worked hard to amplify the voices of our fellow staff members. This is a critical component of all union campaigns and a factor ensured before a union election. We filed for an election with over 90% of our staff's support, as shown in our card signing. This allowed us to quantify the majority of support we garnered and served as an important point to make to our employer. Employees are their unions, accepting a union is accepting your Employees.

Ben & Jerry's respected the wishes of this majority, by agreeing to a card check election, in which our union was won by presenting this majority to a third-party officiator. This process upheld our anonymity while enabling the fastest and most efficient election process.

Too often are majorities, and by extension, the Employees, directly ignored in their want for a union and forced to vote in an election that works to minimize Employees' autonomy and override pre-existing majorities. Elections can be used to stall, or otherwise delay what should be a democratic process of voting, to serve the Employer. In these instances, elections become a form of legal union-busting. The PRO Act works to acknowledge this inequality and right it. In the case of a Majority Sign up, card check elections are the most democratic way to ensure that Employees get to vote without the obstruction, intimidation, and unease associated with elections.

At Ben & Jerry's, our card check election was an acknowledgment of the work put in, the education spread, and the choice our Employees had made in forming our union, and a commitment to recognizing and upholding our decision. Unions work to maintain and advance workplaces, and card checks signify collaboration.

Our campaign was uniquely free of any coercive captive audience meetings. This was a conscious choice our Employer decided to make and one that ultimately led to a smooth transition into bargaining and the acquisition of a speedy first contract. However, the fact that this was a choice our employer could make instead of a standard all employers should have to operate within does a disservice to workers everywhere in Vermont. I have seen firsthand the way Employers can misuse their managerial power to legally conduct union busting.

Down the street from the scoop shop in Burlington, I watched Employers hold coercive captive audience meetings. Management manipulated Employee's financial situations, using the promise of additional hours to convince Employees to attend a meeting where misinformation regarding elections, unions, labor rights, and their autonomy were discussed. Though presented as a choice, meetings of this nature are never optional when hourly workers' days are disrupted and monetary advancement is held over their heads. It's a blatant misuse of an employer's power over their employees where fear and intimidation are used to sway Employees to vote no. Ultimately, my neighboring Employees lost their union election after three coercive captive audience meetings and a 3-month election delay, despite coming to the employer with an 80% card majority when they filed. I fail to see how this vote was fair.

Without coercive captive audience meetings, I began working on Ben & Jerry's contract as early as June and watched it get ratified in December of the same year. Efficiency is possible when fairness is present in union campaigns.

My campaign experience is possible, not just for a progressive company such as Ben & Jerry's, but for all if the VT PRO act is passed. Union elections are only as difficult as the Employer wants them to be. It is my strong belief that the passing of the VT PRO Act is the future of labor in Vermont, and I strongly urge you to do so.

Thank you for your time.