

The Right to Work

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INTEREST IS GROWING in the forthcoming Supreme Court decision in Hanson vs. Railway Employees Department (the Southern Pacific union shop case up on appeal from the Nebraska Supreme Court).

The issue: whether the Railway Labor Act, which permits union shop contracts between railroads and unions, supersedes Nebraska's Right to Work Law, which says no one in the state can be forced to belong to a union for the privilege of holding a job. The Nebraska Court ruled the State Right to Work law prevailed, and denounced union shop contracts as violations of constitutional guarantees of freedom.

Some observers fear, however, the high court is not regarding the case as one of major importance, despite the fact that it affects a dozen or more similar suits throughout the country which will in turn decide the economic and civil rights of thousands of railroad workers.

On December 5 the U. S. high court entered an order noting probable jurisdiction, and transferring the Hanson case to the summary calendar. This means the court will hear arguments, but will limit them to one half hour on each side, instead of the customary hour.

Indication of the interest in the case beyond the borders of Nebraska are the petitions for intervention being received by the Supreme Court. First was filed by the attorney general of Texas, where a second major case of this nature is pending before the Supreme Court. In this case, involving the Santa Fe Railroad and the same group of unions, the Texas Supreme Court has declined to rule pending the U. S. Supreme Court decision in the Nebraska suit.

The plaintiffs in the Santa Fe case followed suit, and likewise have asked permission to participate in oral arguments in the Hanson case. It is expected that others may do the same.

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BROADER ISSUES INVOLVED—Among numerous newspapers which have commented, the Chicago Daily News declares:

"This is an issue vital to our concept of individual liberty, and it is unfortunate that there is some doubt that it will receive the decisive consideration that it needs.

"It is easily, too easily, possible for the U. S. Supreme Court merely to rule on whether the state or federal law shall have precedence in the case, involving some nonoperating railway employes," the newspaper declared. "It would be vastly better if the high court would get to the heart of the matter and decide whether it is tolerable that a man should be unable to work unless he joins a union."

AMERICANS MUST HAVE THE RIGHT, BUT NOT BE COMPELLED TO JOIN LABOR UNIONS

Pointing out that the North Carolina Supreme Court has ruled contrary to the Nebraska court in a similar case, and criticizing the Texas high court's "skinking attitude," the influential paper, a member of the Knight chain, concludes:

"Facts, circumstances and the completeness of the record differ in all these cases. If all were consolidated before the U. S. Supreme Court it might improve the prospects for a clear-cut decision on an issue that sooner or later is going to have to be settled by the highest court."

Adds the Houston Chronicle: "It would be beneficial to the Santa Fe employees, to Texas and to other states with right-to-work laws if the Texas Supreme Court would render its decision in the Santa Fe case, so the facts of this case could be made available to the U. S. Supreme Court before it makes a ruling in the Nebraska suit."

Similar urging has come from the Fort Worth Star Telegram, the Galveston News, the Amarillo Daily News, the Amarillo Globe Times, among others.

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THE MERGER AND THE RIGHT TO WORK--Political implications of the AFL-CIO merger are being watched closely by all groups fighting compulsory unionism, since the announced objective of the mighty new organization's leaders is to make this principle universal throughout the nation.

The Richmond Times Dispatch, noting that the merger agreement "voiced a pious pledge" that it would prove a "boon" to the nation, commented that this was "debatable, to say the least," but added:

"There is no question of its being a boon to the power politicians of labor, whose announced objectives are:

"(1) Repeal of the Taft-Hartley Act, and repeal of the anticlosed shop laws in 18 states.

"(2) An intensive membership drive to give the merger monopoly power over the economic and political life of the nation."

The paper concluded:

"With a total membership now estimated at 17,000,000, the economic and political implications can no longer be ignored."

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Extreme interest is focused on the question of whether the unions leaders can control the votes of their members. Many feel that, when it comes to civil elections in which a man can vote by secret ballot, even those members who fail to oppose their leaders at the union level, because of fear of expulsion and loss of jobs, will remain independent.

They cite the 1950 reelection of Senator Taft in Ohio, when he was opposed by the most powerful forces the union leaders could exert but won handily, including carrying industrial centers where union membership was most widespread.

Others, however, recognize the significance of the almost unlimited funds available to the big labor combine, with their skilled propagandists and publicists, and their highly organized "political and educational" staffs, stretching from national offices down to thousands of locals.

Such an organization, with millions to spend, is bound to be effective in more or less degree; and a very determined assault on right to work guarantees and those members of congress and state legislatures who support them can certainly be anticipated.

The National Right to Work Committee is now engaged in a survey of the local Right to Work situation in all 48 states, including the probable attempts to pass new right to work laws or repeal existing ones either this year or next.

A more complete report on both national and state legislative prospects will be made in the February issue of the National Newsletter.

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POLITICS AND THE RIGHT TO WORK--The taking away of a man's right to earn a living because he chooses not to join and pay tribute to a private organization is far more serious than just a difference of political party affiliation, and the National Right to Work Committee, in its opposition to this limitation of human rights, is non-partisan and non-political.

However, with the big labor leaders proclaiming their primary aim of repealing state right to work laws, as well as striking Section 14-b from Taft-Hartley--the section which says states may pass laws against compulsory unionism despite the federal law permitting it--this issue is inevitably coming to the fore as a major one in the coming November elections:

Examples:

Arthur Krock, writing in the New York Times December 9, cites Adlai Stevenson's attack on right to work laws before the AFL-CIO merger convention, and pointed out that the currently leading Democratic candidate for President "thus made common cause with his principal rival, Governor Harriman of New York." He added: "Governor Williams of Michigan, another aspiring Democrat, is an ancient foe of these state laws. Hence three Democrats with ambitions centered on one or the other place on their party's national ticket next year now make a solid bloc in favor of repeal of this legislation in 18 states where it exists. And former President Truman is of the same mind.

Continues the widely read Mr. Krock:

"The unity on the issue of this influential group forecasts a powerful effort to make repeal of the state Right to Work statutes a major platform pledge of the Democrats next year, and equally the attempt is sure to meet strong if minority opposition. That is because, of the 18 states concerned, the governments of 12 are controlled by Democrats. But with today's attack on the principle of these laws by Stevenson, the party line-up against them is formidable. Should this prevail in the writing of the Democratic platform, the Republican convention that follows will be confronted with a clear-cut choice.

"That party is divided, though among the Republicans it appears to be a minority that is against the state laws. The President told a press conference he had made 'no irrevocable decision' on the issue. Secretary of Labor Mitchell has been left free to advocate the repeal, to which some of his Cabinet colleagues have strongly indicated their opposition; and Administration Republicans in Congress are split, too."

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THE LEGAL PICTURE--Interest continues to grow in a study of the legislative restrictions on union security agreements as presented in a speech before the American Bar Association in Philadelphia last summer. The speech, made by Mr. Jonathan C. Gibson, vice president and general counsel of the Santa Fe Railway, Chicago, has been reprinted and is being distributed to several thousand leading attorneys, deans and professors of law, economic and political science in American colleges and others interested by the National Right to Work Committee.

In an accompanying letter, Fred A. Hartley, Jr., Committee president, terms it "one of the best summations, from a legal point of view, that I have seen."

To obtain copies, write the committee.

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WORKER TO WORKERS--one of the most telling attacks on compulsion and how it works against, instead of for, the laboring man, has been made by W. T. Harrison, a clerk on the L. and N. Railroad at Louisville and a member of the board of the National Right to Work Committee.

Mr. Harrison, for 20 years a member of the Brotherhood of Railway Clerks until he was expelled for opposition to the Union shop amendment to the Railway Labor Act, has written a short pamphlet entitled: "Forced Union Membership Steals Your Freedom," and it is attracting wide attention from working people all over the United States. Published by the National Committee, orders for additional copies are pouring in from workers, employers, teachers, and various others interested in this vital subject.

Write the committee for a free copy, or for information on how multiple copies may be obtained for redistribution to others you think would like to see it.

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RIGHT TO WORK LAWS AND THE ECONOMY--In 1955 the National Right to Work Committee made a survey of the effects of right to work laws on the 12 states that had had them in effect since 1947--or long enough for significant conclusions to show up in official government figures covering various economic categories.

Results of this study, published last Spring, showed conclusively that such states showed better average gains in almost every major economic indice than had the 36 other states which did not have right to work laws or which had passed them only recently.

Now come the results of local studies in two more states, which have had right to work laws for lesser periods--and both bear out the same conclusions as the larger survey disclosed.

MISSISSIPPI--The Mississippi Agricultural and Industrial Board reports that a total of 123 new and expanded manufacturing plants have been developed in the state in the past two years. (Mississippi's Right to Work law became effective February 24, 1954).

This two-year gain in industrial activity resulted in payroll increases of \$36,790,000, and was accompanied by comparable gains in per capita income, sales tax collections and similar improvements, the A. and I. Board reports.

LOUISIANA--The New Orleans Chamber of Commerce has just completed a study of the effects of that state's right to work law, which became effective July 28, 1954.

Among its findings:

Since passage of the Right to Work Law, average weekly wages have increased \$4.58 and average hourly wages from \$1.58 to \$1.67.

Non-agricultural employment in the state has gone up from 695,800 in September, 1954 to 699,600 in 1955.

Neither group claims these findings are entirely the result of passage of right to work laws; nevertheless, they are cited as effective answers to the claims of opponents of these measures who had warned of more unemployment, lower pay and general economic decline in these states if compulsory unionism was banned.

NOTE: The 12-state survey by the National Committee mentioned above is still current, and has forced a recent re-run order to the printer, so that copies in some volume are now available again. Write committee headquarters for single copies or bulk prices.

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FARMERS FIGHT COMPULSION--Both the National Grange and the American Farm Bureau Federation are now on record as strongly recommending extension of right to work laws into other states to protect American workers' rights to hold their jobs without being forced to belong to any private organization.

The Grange, with some 860,000 members in 37 states, adopted a resolution at its recent Cleveland convention which put it on record for the first time as advocating a spread of right to work laws into other states. The Farm Bureau, which had previously supported state laws, in its recent Chicago meeting adopted a resolution also demanding Federal action to outlaw compulsory unionism under the Taft-Hartley Act.