

The Right to Work

NATIONAL NEWSLETTER

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14(b) Under Fire

THE ONE SECTION of the Taft-Hartley Act which gives federal "permission" to the states to pass laws banning forced unionism is emerging as the prime union target in the next Congress.

And, taking their cue from the successful work at the polls in Louisiana which helped them to repeal the Louisiana Right to Work Law, officials of the powerful new amalgamated labor forces are concentrating on electing to Congress in November those known to be amenable to their wishes, and defeating those who will resist them.

Taft-Hartley comes under attack in the platforms of both political parties. The Democratic Platform calls for outright repeal, and specifically criticizes the law "because 'state right to work' laws have their genesis in its discriminatory anti-labor provisions."

Although the GOP plank is not so specific, merely proposing to "revise and improve" the Taft-Hartley Act, Secretary of State Mitchell is known to be against state right to work laws and was reported recently by the Wall Street Journal as advocating that the party come out frankly in favor of repealing the state laws against compulsory unionism.

Paralleling these efforts to make repeal of Taft-Hartley's Section 14(b) a political issue in November have been a number of developments in the compulsory unionism picture that continue to focus interest on it as the probable prime labor relations issue in Congress come January.

Among them:

Union leaders took a painful licking in Kansas when the voters refused to renominate Republican Governor Fred Hall who had vetoed a right to work bill there. This was the big issue of the campaign, and Kansans left no doubt where they stand, despite the major fight waged by union leaders--both Kansans and national--to reelect him. State Rep. Warren Shaw, who campaigned on a promise to support passage of a right to work law, was the overwhelming victor.

Proponents of a right to work measure in Washington state put over their drive to put the issue up for a vote of the people by obtaining well over the 50,000 petition signatures required.

Both Kansas and Washington have rightly been taken by labor union leaders as proof that voters in the individual states won't stand for compulsory unionism when they get a clear opportunity to express themselves and know the true facts about right to work laws.

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

Thus, they are looking to Congress. There political pressure can be applied to repeal 14(b) and automatically kill the state statutes, regardless of the wishes of the people.

Union leaders for several months have made it clear that, if they feel enough pro-union representatives and Senators are in the next Congress they will "go for broke" to wipe out any federal law that offers them the slightest opposition in their campaign to gain complete dominance over American workers and thus, American industry.

They apparently are banking on the fact that so few people have seemed to grasp the fact that elimination of 14(b) from Taft-Hartley would immediately nullify all state right to work laws. For the courts have held in case after case that, under the Commerce Clause of the constitution, where Congress has legislated in a specific field of labor-management relations, it has preempted the field, and the states are powerless to act.

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VICTORY IN KANSAS, WASHINGTON—The victories by right to work forces in Kansas and Washington have heartened opponents of compulsion in all states, as pointed out above.

In Kansas, the voters soundly defeated for renomination Gov. Fred Hall, Republican who had vetoed a right to work bill passed by the Legislature in 1955; and some 60,000 Washington state voters signed petitions to put the right to work issue on the ballot in November—easily more than enough to insure that the people will have a vote on it.

Both victories came in the face of almost frantic opposition by union leaders who are convinced they can only hold their power over the rank and file through compulsion.

In Kansas the whole campaign revolved around the right to Work issue, and Rep. Warren Shaw's solid victory (153,000 to 121,000) left no doubt of how the voters stood on the question.

Nathan Thorington, Richmond, Va., contractor and president of the National Right to Work Committee, declared: "This is positive proof that, when they have an opportunity to vote on a clear cut issue of forced unionism, the American people are against it. I am confident that they will follow the same course in other states when they, instead of the politicians, have a clear opportunity to express themselves."

And in Kansas supporters of the right to work principle immediately began planning to support passage of another measure in the Legislature convening in January.

In Washington, the Secretary of State reported that 60,109 valid signatures were presented (out of 64,107), thus insuring the people a vote on Proposition 198 to outlaw compulsory unionism.

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TEXAS 'VICTORY' SEEN—An attorney who represented 13 Santa Fe Railroad Employees in their suit to prevent discharge because of non union membership considers the Texas Supreme Court's July 25 decision upholding the union shop contract as a "complete victory for those who don't belong to the union."

Col. E. A. Simpson, Amarillo attorney, pointed out that the 6-3 split decision says only that employees opposed to full union membership will be required to pay only that portion of union dues which go for collective bargaining, and not the remainder of the money going to support political and other activities of the union.

He told reporters he does not believe that the unions will ever release a breakdown of how dues and fees are used, and what proportion is actually used to defray collective bargaining

expenses. Thus, he feels, the unions will never be able to force a man out of his job.

Simpson and attorneys for the Santa Fe on August 6 petitioned the Texas high court for a reversal of opinion, for the decision of the trial court, which had held against the union shop contract, to be upheld. This decision had been reversed by the Court of Civil Appeals at Amarillo.

If this request was denied, the motion asked that the "judgement of the trial court be in all things affirmed with modification to permit the execution of a contract allowing nothing more than the collection of initiation fees, dues and assessments insofar as necessary to support the collective-bargaining action of the union."

The Texas Supreme Court is in recess and does not reconvene until October. If this motion is denied, it is expected that the case will then be appealed to the United States Supreme Court.

(Note: Colonel Simpson, in his arguments before the Court on June 27, had stated that he construed the opinion of the U. S. Supreme Court in the recent Nebraska (Union Pacific) case to mean that the Union Shop Amendment to the Railway Labor Act authorizes the unions to demand and enforce agreements requiring payment of initiation fees, dues and assessments—and nothing more. He contended that under this ruling, unwilling employees cannot be forced to sign an application for membership in a union, cannot be compelled to take an oath of allegiance to a union and need not subject themselves to the discipline and control of a union.)

LOUISIANA HAYRIDE--The peculiar spectacle that found certain Louisiana union leaders arguing against compulsory unionism for agricultural workers--in order to get legislators from rural and cane mill parishes to vote to repeal the Right to Work law for other workers--seems to have backfired.

Workers all over the country, both those for compulsory unionism as well as those opposing it, have resented the tactics used in "dumping" a segment of the state's workers in order to win the issue affecting the others.

And now, even Mrs. Roosevelt has termed it a "shortsighted and unstatesmanlike performance." In her column in the Washington Daily News and other papers she declared: "...if the national AFL-CIO knew what was going on in Louisiana--and it must have been going on for a long time-- it seems incredible that it would not have prevented it."

Meantime, Louisianans, startled by the political power play that left them with only half a right to work law and no protection against compulsory unionism for their industrial worker citizens, are laying plans to launch another fight to repass the original law at the next assembly.

Unfortunately, this is too often a pattern--states pass right to work laws to protect the rights of their citizens; but the powerful union leaders with their million dollar treasuries and now backed by the vast resources of associated unions in other states, won't give up. Right to work laws supporters have to come back almost every legislative session to organize their groups all over again and fight to keep the law on the books.

UNTIL THE PUBLIC, LABOR AND BUSINESS--WHO BELIEVE THAT FORCED UNIONISM AS THE PRICE OF HOLDING A JOB AND EARNING A LIVING VIOLATES EVERY BASIC PRINCIPLE OF AMERICAN DEMOCRACY--JOIN TO FORM A FORCE AS EFFECTIVE AS THE GREAT POWER NOW WIELDED BY THE NATIONAL UNION LEADERS, THIS WILL CONTINUE TO BE THE STATE OF AFFAIRS IN THE STATES.

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THE NEW FARMER--It might be supposed that the average farmer would be only mildly interested in the right to work issue, and that his approval of such a law would spring only from a general conviction that no man should be forced to subscribe to any private organization in order to earn a living.

However, Warren Shaw, successful candidate for Republican nominee as governor of Kansas, pointed out in a campaign speech that farmers now have a much more personal interest in the spread of compulsory unionism. Said he:

"There have been times when it has been necessary for many farmers to seek work in industry between crops to make ends meet. And, what has happened? The farmer has sought work on building projects and in industry, only to be refused honest labor until he has paid an initiation fee and agreed to payment of dues from his wages. For what benefit? To get or keep a job, nothing more."

"In some instances, these farmers have been hired, then fired, because they would not pay tribute necessary to keep their jobs...I can testify that many, many instances of such forced union membership have been related directly to me."

Apparently, Candidate Shaw was correct, for he got strong farm backing. However, he also received powerful support from the state's major industrial areas, proving once again that the union bosses can't deliver the vote if their members know its not in their own best interests to follow them.

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PICKETING BANNED--In a case that has escaped wide attention, but may have set an important precedent, a district judge in Salina, Kansas July 25 banned picketing that interferes with a man's constitutional right to work.

Judge A. R. Buzick granted two permanent injunctions against Laborers Local 685 prohibiting it from picketing Jarvis Construction Co. jobs at Smoky Hill Air Force Base and Marymount College.

The judge found that no labor dispute or strike was involved, and the injunctions were sought by groups of Jarvis employees, themselves, who said they were deprived of a right to work when the picketing closed down the jobs because union workers and suppliers refused to cross the picket lines.

Judge Buzick held that the picketing, if continued, would effectively deprive the plaintiffs of their right to work without due process of law, which he termed a "natural and property right" protected by the constitutions of the United States and of Kansas.

He ruled such picketing was prohibited by the constitutions and by a recent Kansas statute, 1955 Supplement, 44-809.

NATIONAL RIGHT TO WORK COMMITTEE PLEDGE OF SUPPORT

TO: NATIONAL RIGHT TO WORK COMMITTEE
ROOM 125-B, CAFRITZ BUILDING
1625 EYE STREET, N.W.
WASHINGTON 6, D. C.

I believe with your committee that "Americans Must Have the Right, But Not Be Compelled to Join Labor Unions." I am interested in the national education campaign being carried on in support of this principle.

CHECK ONE:

_____ I enclose \$ _____ in support of the committee's work, and would like to be listed as a member and placed on the mailing list to receive educational material regularly. (*Make checks payable to National Right to Work Committee.*)

_____ Please send me additional information on the Committee and its objectives.

NAME _____

ADDRESS _____

CITY AND STATE _____