

# NATIONAL RIGHT TO WORK NEWSLETTER

VOLUME 56, NUMBER 7

[www.nrtwc.org](http://www.nrtwc.org)

July 2010



CREDIT: BOSTON HERALD



CREDIT: FOX NEWS



CREDIT: COUNTENANCE BLOG

Big Labor Democrats lack the votes to federalize monopolistic public-safety

unionism without GOP cohorts. Unfortunately, a few Republicans like

Scott Brown (left), Mike Johanns, and Lisa Murkowski are already cosponsors.

## Handful of GOP Senators Woo Union Kingpins *Federal Union Monopoly Threatens State, Local Public Employees*

Just before the U.S. Congress adjourned for a week-long Independence Day recess, Big Labor House members rubber-stamped legislation that would federally impose union monopoly bargaining over state and local public-safety employees.

The legislation (H.R.413), cynically mislabeled as the "Public Safety Employer-Employee Cooperation Act," would, at a time when government budget deficits are already sky high, hobble the ability of states and localities to keep their expenditures of taxpayer dollars under control.

Incredibly, the House voted July 1 to attach this scheme to a massive spending bill that provides funding for U.S. troops. The Senate is expected to take up this war supplemental bill, with H.R.413 attached, some time this month.

H.R.413 would empower Federal Labor Relations Authority (FLRA) bureaucrats to survey all 50 states and identify which have failed to meet the legislation's "core standards."

And the key "core standard" is mandatory union monopoly bargaining. Localities in all 50 states would be denied the option to refuse to grant a single public-safety union the power to speak for all front-line employees, including those who don't want to join.

### Bill 'Further Empowers An Already Strong Lobby'

Monopoly bargaining, euphemistically labeled as "exclusive representation," would be foisted on police, firefighters, and other public-safety employees nationwide. And in most states that already authorize public-safety union monopoly bargaining, H.R.413 would widen its scope.

As Wall Street Journal reporter Kris Maher recently noted, under this legislation, if any state refused to institute monopoly bargaining and comply with other mandates, FLRA bureaucrats "would step in and implement" them themselves.

A wide spectrum of political observers, inside the D.C. Beltway and around the country, have blasted H.R.413 and its Senate companion, S.3194, sponsored by Senate Majority Leader Harry Reid (D-Nev.), as a budget-busting power grab.

For example, last month both the liberal Washington *Post* and the conservative *National Review* ran editorials urging Congress to block H.R.413/S.3194.

"What this bill would do," charged the *Post's* editors, "is impose a permanent, one-size-fits-all federal solution in an area -- public-sector labor relations -- that has traditionally been left to the states, and where state flexibility is probably more necessary than ever. . . . The bill further empowers an already strong lobby . . . ."

The editors of *National Review* (online edition) were even more forthright:

"Government employees' unions already maintain a death grip on the

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# Right to Work Prepared to Fight

*Continued from page 1*

finances of most state and local governments, and a remarkably bad piece of legislation -- the Public Safety Employer-Employee Cooperation Act -- threatens to tighten that stranglehold . . . ."

Of course, the fact that liberal, conservative and moderate analysts recognize H.R.413/S.3194 as bad in principle and extraordinarily ill-timed doesn't trouble Mr. Reid and union-label Democratic Congressman Dale Kildee (Mich.), the lead sponsor of the House legislation.

## Harry Reid Cannot Prevail Without GOP Collaborators

The bottom line for them is that their legislation would empower and enrich union officials who are one of the Democratic Party's "most important constituencies," as *National Review's* editors put it.

However, Democratic politicians, despite controlling the White House and substantial majorities in both chambers of Congress, cannot make Kildee-Reid the law of the land all on their own.

At this writing, due to the death late last month of Sen. Robert Byrd (D-W. Va.), Mr. Reid's majority caucus consists of 58 senators, 56 Democrats plus pro-forced unionism "Independents" Joe Lieberman (Conn.) and Bernie Sanders (Vt.).

But, regardless of the total number of senators at any time, it takes 60 to bring up a piece of legislation for a

final vote if opponents seek to block it by launching an extended debate.

And the National Right to Work Committee, which is leading the opposition to Kildee-Reid on Capitol Hill, and its Senate allies already have a plan in place to sustain an extended debate against this legislation.

That's why Harry Reid must pick up several GOP votes, while holding on to the votes of several Democrats from strong Right to Work states, in order to ram H.R.413 through the Senate.

"At this time, six GOP senators are sponsoring S.1611, monopoly-bargaining legislation that is virtually identical to the Reid bill," noted Right to Work President Mark Mix.

"To thwart the federalization of union monopoly control over public-safety officers, Right to Work supporters must convince at least three of these senators to back away from their support for this scheme, and also convince at least two or three Democrats to oppose H.R.413.

"One Senate Democrat, North Carolina's Kay Hagan, has already said publicly she will oppose the Police/Fire Monopoly-Bargaining Bill, even though she usually votes with Big Labor. She reiterated her opposition just last month."

## History Shows Appeasement Won't Insulate GOP Politicians

"Committee leaders are hopeful that, if pro-Right to Work constituents

keep raising the pressure, they can ensure that Ms. Hagan keeps her word, and that a couple of other Democrats join her in opposing H.R.413," Mr. Mix continued.

"But that won't be enough to defeat the Kildee-Reid bill unless several would-be GOP appeasers of Big Labor reconsider their support for expanding government union bosses' monopoly privileges.

"Right now, freedom-loving constituents are turning up the heat on all six GOP sponsors of S.1611, especially Sens. Scott Brown [Mass.], Mike Johanns [Neb.], and Lisa Murkowski [Alaska].

"Right to Work supporters are also reminding these senators that, in 2008 alone, four GOP senators who had tried to appease Big Labor by cosponsoring the 2007-2008 version of the Police/Fire Monopoly-Bargaining Bill were tossed out by their constituents.

"History shows forced-unionism appeasement won't insulate politicians from Big Labor attacks -- but will anger their constituents."


## Bill Would Pave Way For Union Monopoly Control Over All Public Employees

Mr. Mix acknowledged that Right to Work supporters face an uphill battle to block H.R.413 in the Senate. But this power grab is so dangerous, he added, that Committee members must do everything possible to stop it.

"Kildee/Reid would constitute a major step towards Big Labor's decades-old goal of enacting a federal law that foists union monopoly bargaining on front-line state and local employees of all types across America.

"As union bigwig Anna Burger, head of the 'Change to Win' union conglomerate, recently boasted, H.R.413/S.3194 would 'create a national collective,' i.e., monopoly, 'bargaining standard for all public workers.'

"In other words, if Congress federalizes union monopoly control over public-safety employees, the federalization of union monopoly bargaining over teachers, and state and local public servants of every other kind, will be next.

"Enactment of H.R.413/S.3194 would deal a harsh blow to the Right to Work cause. I know Committee members and supporters across the country understand that fact, and will do all they can to stop this legislation." 



CREDIT: GETTY IMAGES

As "Change to Win" union bigwig Anna Burger (shown here at the 2008 Democratic National Convention) recently

boasted, H.R.413/S.3194 would create a "national collective [monopoly] bargaining standard for all public workers."

# 'Big Labor Picked the Wrong Guy to Bully'

## *ROTC Instructor Wins Small Victory Over Teacher Union Bosses*

According to the most recent available federal data, there are roughly 73,000 public elementary and secondary schoolteachers in Massachusetts.

Reportedly, more than 99% of these educators must allow the agents of a single teacher union to negotiate with their employer over matters of pay, benefits and working conditions if they wish to continue working at a public school.

And the vast majority of Bay State teachers under union monopoly bargaining are also compelled to fork over dues or fees to their "exclusive" union bargaining agent, or be fired.

However, as they recently demonstrated, top bosses of the Massachusetts Teachers Association (MTA/NEA) union and its affiliates aren't content with extracting forced union dues and fees from the vast majority of teachers in the state.

The fact that even one teacher is working in a public school without paying tribute is enough to set them off.

For 14 years, retired U.S. Marine Maj. Stephen Godin has vexed the bosses of the MTA-affiliated Education Association of Worcester (EAW) union by serving as a junior ROTC instructor at North High School without paying them for the privilege.

### **'It Just Seems Crazy That They're Gonna Fire Me Over \$500'**

This spring, EAW union President Cheryl DelSignore and her lieutenants apparently decided the time had come to crack down on the major. They told him by mail that, by June 15, he would either have to join the union and begin paying dues, or pay a \$500 annual nonmember "agency" fee, or they would inform the school district that it had to fire him.

The EAW union brass didn't care that the senior naval science instructor's case is truly exceptional. His salary is set by the U.S. military, which never bargains with union negotiators over the amount. Half his salary and all of his benefits are paid for by the military.

Incredibly, Ms. DelSignore has contended that Mr. Godin and other JRTOC instructors "owe" the union because it "permits" them to be on the



CREDIT: TED FITZGERALD/BOSTON HERALD

**Retired Marine Maj. Stephen Godin refused to be extorted by Massachusetts teacher union bosses.**

military pay scale, rather than the union-negotiated one!

But Stephen Godin wouldn't be extorted, and he wouldn't quit his job, either. Instead, he took the threatening teacher union letter to the Worcester and Boston media and cried foul.

"It just seems crazy that they're gonna fire me over \$500," Mr. Godin told the Boston *Herald* in an interview.

Mr. Godin was in contact with National Right to Work Foundation attorneys as he plotted his strategy for fighting back.

Once Mr. Godin's story was reported in the media, state Senate

Minority Leader Richard Tisei (R-Wakefield), who is running for lieutenant governor this year, recognized that the major's cause was a popular one.

### **Junior ROTC Teachers Are Far From Alone in Not Benefiting From Unionism**

Almost immediately, Mr. Tisei began pressing the state Legislature to enact a measure protecting high school ROTC instructors' Right to Work without being forced to pay dues or fees to an unwanted union.

At first, the MTA union hierarchy and its puppets in the Legislature fought Mr. Tisei's measure, but they soon recognized they were suffering far too much PR damage over a relatively minuscule amount of forced dues and fees. They then backed down and allowed the measure to become law.

"Maj. Godin deserves commendation for his principled stand and his personal victory," commented National Right to Work Committee Vice President Matthew Leen. "Big Labor picked the wrong guy to bully."

"Unfortunately, there are, no doubt, thousands of other talented and hard-working teachers in Massachusetts who don't want a union, and don't benefit from having one, but continue to be forced to pay union dues, or be fired. Protecting junior ROTC instructors' Right to Work is but a small first step in the right direction." 🇺🇸

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[www.nrtwc.org](http://www.nrtwc.org)

July 2010

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# Pot of Compulsory Dues For Big Labor?

## *California Union Bosses, Marijuana Dealers Embark on Joint Effort*

From 1999 through 2009, the U.S. population increased by nearly 28 million. And, as dietary scolds often remind us, the average American is eating more all the time.

Nevertheless, the number of U.S. grocery workers under union monopoly-bargaining control fell sharply over the past decade -- from 666,000 to 531,000, or 20%, according to the respected, Washington, D.C.-based Bureau of National Affairs.

How could the empire of grocery (overwhelmingly, United Food and Commercial Workers, or UFCW) union bosses shrink so much, when the demand for food keeps growing and, obviously, Americans can't go abroad to buy their food?

UFCW barons' problem is that the strait-jacket work rules and inefficient benefit plans they foist on grocery employees and their employers, and the counterproductive "hate-the-boss" mentality they foment, have rendered thousands of unionized grocery stores uncompetitive in their markets.

Over the past decade, union-free grocery chains that typically offer their employees benefits superior to the retail industry norm and ample opportunities for advancement have taken away more and more of unionized groceries' market share.

### **Big Labor Cash Cow Grazing in the Weed?**

This is true even in Big Labor stronghold states like California.

UFCW union kingpins could try to deal with this problem of theirs by changing their ways. For example, they could offer to negotiate new contracts that get rid of productivity-killing work rules. More generally, they could focus on workers' issues, instead of spending most of their time playing politics with forced union dues. But so far they haven't.

Instead, today UFCW union organizers are turning more and more to potential forced dues-paying workers outside the grocery industry. And Golden State UFCW officials are especially notable for their creativity.

This month, the UFCW union's San Jose-based Local 5 is expected to give its official endorsement to the so-called



CREDIT: MONKEY MUCK BLOG

**Since 1996, purveyors of "medical" marijuana have generally been able to ply their trade in California without**

**worrying about the cops. But now forced dues-hungry UFCW union bosses are hot on their trail!**

"Control and Tax Cannabis" initiative, which would make possession and use of marijuana for "recreational" purposes legal in California. ("Medical" uses of pot have already been permitted under state law for 14 years.)

Local 5 bosses have apparently decided to back the cannabis initiative, and spend substantial sums of California grocery workers' forced union dues and fees to help pass it, as part of a quid pro quo with marijuana advocates and medical cannabis dispensaries.

To secure UFCW bosses' forced dues-funded support for the initiative, which will greatly increase the market for the cannabis dispensaries' product, dispensary executives have agreed, effectively, to help union organizers acquire monopoly-bargaining privileges over their employees.

### **'Forced Dues-Crazed Abandon'**

The Right to Work of thousands of "bud tenders," who purportedly help medical marijuana users select the correct strain for their ailment, and other industry workers may go "up in smoke" as a consequence of the tacitly-

acknowledged deal.


National Right to Work Committee Vice President Doug Stafford commented:

"As a part-time musician, over the years I have seen quite a few people acting erratically under the influence of unknown substances.

"I must say, though, union officials' behavior when they identify a large new potential source of forced dues and fees is especially unsettling to me. When they are in a state of forced dues-crazed abandon, you never know what union bosses will do.

"In California, evidently, it turns out what they will do is endorse an initiative to make it legal to party with pot, as long as you are 21 or over.

"As a single-issue organization, the Right to Work Committee is of course taking no position on the cannabis initiative.

"However, Right to Work supporters suspect that there are many employees who must pay dues to Local 5 to keep their jobs, and oppose legalizing recreational marijuana. And we think it's wrong for Local 5 chief Ron Lind and his lieutenants to use such workers' forced dues to back a cause they oppose." 

# Slow Learner vs. 'Never Learner' in Bay State?

## *In Traditional Big Labor Stronghold, Union-Only PLA's Under Fire*

If you want to make a Massachusetts taxpayer shudder, just say the words "Big Dig."

For years now, the "Big Dig," officially referred to as the Central/Artery Tunnel Project, has been widely recognized as a poorly constructed, extraordinarily expensive boondoggle.

The "Big Dig" tunnel system was conceived in the 1970's to replace Boston's aging elevated six-lane Central Artery and improve access to Logan Airport and Boston Harbor. In 1987, Congress voted to furnish federal taxpayer funds, and ground was first broken in 1991.

To the dismay of independent construction employees and firms and Right to Work advocates, Massachusetts politicians announced that the "Big Dig" would be subject to a union-only "project labor agreement" (PLA).

Construction firm owners who wished to bid on the project, whether unionized or union-free, would be forced to impose restrictive union work rules on employees and to fill positions through discriminatory union hiring halls.

In 1991, project managers estimated the "Big Dig" would cost \$2.6 billion and take seven years to complete. Thirteen years and nearly \$15 billion after ground

had been broken, the tunnel system was open, but still not complete.

Then, in November 2004, Boston media outlets reported that the "Big Dig" had experienced 1400 leaks in its tunnel wall as well as a wide array of other costly-to-repair damage.

### **New Taxpayer-Funded PLA Example of What 'Makes People Crazy About State Government'**

The "Big Dig" finally concluded at the end of 2007. It ended up costing \$22 billion, including \$7 billion in interest, which won't be paid off until 2038.

In Massachusetts today, public anger about construction defects, missed deadlines, and enormous cost overruns in the "Big Dig" PLA remains intense enough that it represents a significant problem for 2010 GOP gubernatorial nominee Charlie Baker.

During the 1990's, when Mr. Baker was Massachusetts' chief budget writer, he supported borrowing an additional \$1.5 billion for the "Big Dig." Bay State taxpayers, who are still paying off that debt, don't see that as a point in his favor!

However, Charlie Baker is singing a different tune about union-only PLA's nowadays. In a campaign event last month, he blasted a June 14 decision by

University of Massachusetts officials to foist a PLA on \$750 million (at least) in new taxpayer-funded construction at UMass's Boston campus.

Flagrantly discriminating against the roughly 80% of Massachusetts construction workers who aren't unionized while accepting bids for publicly funded construction is the kind of thing "that makes people crazy about state government," said Mr. Baker.

He pledges to ban PLA's in state contracts if elected.

### **Gov. Patrick: '96% of the Construction' Is Being Done 'by Union Workers'**

National Right to Work Committee President Mark Mix commented: "Charlie Baker is surely a slow learner when it comes to the ill effects of union-only PLA's. It took him an awfully long time to realize they're unfair and anti-taxpayer.

"On the other hand, Democratic Gov. Deval Patrick, now seeking reelection, appears to be a 'never learner' when it comes to PLA's.

"Despite the 'Big Dig' fiasco and the many other examples of huge delays and excessive costs in Massachusetts PLA's over the past two decades, Mr. Patrick continues to be a cheerleader for these special-interest schemes.

"This March, Mr. Patrick actually boasted about the fact that, even though the vast majority of Bay State construction workers have opted against unionization, '96% of the construction' on a hospital PLA in Worcester 'is being carried out by union workers'!

"Because of Mr. Patrick's cluelessness, and because independent gubernatorial candidate Tim Cahill is dodging the PLA issue, Mr. Baker's current outspoken stance against PLA's may well resonate with Bay State voters, despite his past.

"Mr. Baker is savvy enough to see, finally, that public opposition to PLA's is intense, even in a traditional union stronghold state like Massachusetts.

"And that should give pause to President Barack Obama, who up to now has been relentlessly promoting union-only PLA's at the federal level, and will have to campaign in all 50 states if he chooses to seek reelection in 2012." 📣



CREDIT: JOHN TLUMACKI/BOSTON GLOBE

Onetime "Big Dig" enthusiast Charlie Baker is touting his opposition to union-only PLA boondoggles as he campaigns

for the Massachusetts governorship this year. Bay State voters may conclude: "Better late than never!"

# Big Labor Propagandists Refute Themselves

## *Union-Label Academics Inadvertently Scrub Excuse For Forced Dues*

Under both federal and state law, union officials have always had the option to negotiate "members-only" contracts with employers that do not affect the terms of employment of workers who do not wish to join or pay dues to a union.

But from the early 1960's until recently, Big Labor rarely if ever tried to exercise its members-only option.

### **Current Law Authorizes Monopolistic Unionism**

Instead, union organizers have focused their efforts on imposing monopoly bargaining on all the employees in a so-called "bargaining unit."

(The National Labor Relations Board, or NLRB, vaguely defines a "bargaining unit" as "a group of two or more employees who share a 'community of interest' and may reasonably be grouped together for collective bargaining purposes.")

Monopoly bargaining in the private sector is authorized and promoted by both the National Labor Relations Act (NLRA) and the Railway Labor Act (RLA), and in the public sector by numerous state laws.

Under monopoly bargaining, employees lose the individual right to bargain for themselves over their wages, benefits, and work rules, and must allow a union agent to negotiate in their stead, like it or not.

### **Monopoly Bargaining Serves As Big Labor Pretext For Forced Union Dues**

And once union officials have rejected their members-only option and exploited NLRA, RLA, or state labor law provisions to seize monopoly power, they then use that power as an excuse for demanding that the employer acquiesce to a contract forcing union nonmembers to pay union dues or fees just to get or keep a job.

Of course, Big Labor propaganda has long obscured the fact that union bosses have a members-only option that they scorn because they prefer to wield monopoly power over workers.

Over the past few years, however, forced-unionism propaganda has run foursquare into reality.



CREDIT: CHIP SOMODEVILLA/GETTY IMAGES

**Union bosses like AFL-CIO czar Richard Trumka and Service Employees International Union czarina Mary Kay**



CREDIT: SEIU

**Henry have long cited a bogus rationale for forced union dues. Now even Big Labor admits it's phony.**

More and more officials of AFL-CIO-affiliated and other unions now admit the fact that members-only bargaining has always been permissible under both federal and state laws.

But they also want a new twist.

Three years ago, the bosses of seven large AFL-CIO-affiliated unions filed a petition asking the NLRB to rule that any business without a monopoly union must honor any union's request for bargaining on a members-only basis -- even if most employees don't want a union.

"For years, union officials brazenly claimed that they should have forced dues because, supposedly, they are forced to represent nonmembers," commented Matthew Leen, vice president of the National Right to Work Committee.

### **Hoary Excuse For Forced Union Dues Obliterated**

"But in August 2007, the bosses of seven large unions finally admitted in writing that members-only bargaining is permissible under current law and declared that they wanted their members-only bargaining power expanded," he continued.

"The following winter, lawyers for the entire six million-member 'Change to Win' union conglomerate, which had broken off from the AFL-CIO conglomerate, filed their own NLRB petition asking for more such bargaining power.


"Finally, just last month, a group of 46 pro-forced unionism labor law professors sent an unsolicited brief to the NLRB prodding the agency to mandate members-only collective bargaining.

"Like the AFL-CIO and 'Change to Win' petitions that preceded it, the union-label academics' brief admitted that 'long-standing case law has expressly validated both the *process* and the *product* of employers' recognizing and bargaining with . . . unions for their members only' (emphasis in original).

"Neither the union bosses nor their academic apologists want Big Labor's current monopoly-bargaining power diminished one bit, even though the evidence is clear and compelling that that power is detrimental to the interests of workers who don't want a union.

"And union bosses, with their academic apologists' support, also want to retain the power to force workers, as a condition of employment, to pay dues or fees for unwanted monopoly bargaining. But what's their rationale for retaining the forced-dues option?

"In cases where union bosses refuse to exercise their members-only bargaining option, that's obviously no excuse for forcing workers to pay for an unwanted monopoly union.

"These recent developments will inspire Committee members to fight even harder for enactment of national Right to Work legislation barring all forced union dues and fees." 



# Succor for Union Monopolists

*Continued from page 8*

"Mr. Becker's publicly aired views are so extreme that even several normally pro-union senators refused to approve his nomination. For that reason, he has yet to be confirmed. He nevertheless sits on the NLRB today because, on March 27, President Obama bypassed the Senate and 'recess' appointed him.

"It's likely Mr. Becker will take every opportunity to curtail employees' freedom to oppose unionization of their workplace.

"Ms. Liebman, Mr. Pierce, and he are all expected to vote in lock-step to increase Big Labor's monopoly-bargaining and forced-dues powers over the individual employee whenever they get the chance.

"And barely more than two months after President Obama did the union bosses' bidding by personally installing Mr. Becker, the Board signaled how it might bureaucratically proceed to provide Big Labor with tools of intimidation very similar to those the 'card check' bill would have furnished."

On June 9, the NLRB put out a request for information about "electronic voting services for both remote and on-site elections."

The request has been widely interpreted as a step toward mandating the routine use of remote Internet or telephone balloting in union organizing campaigns.

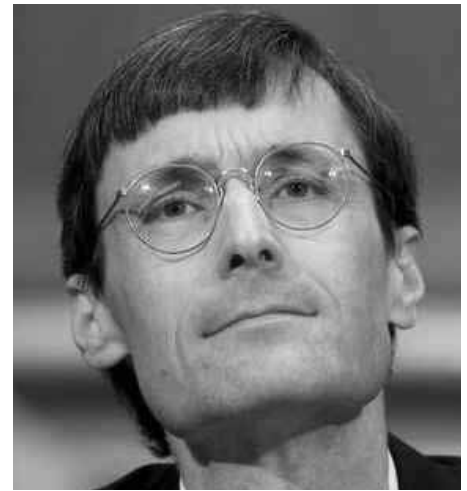
## Remote Voting Facilitates 'Vote Selling and Coercion'

Under current law, when a unionization election occurs, employees normally cast their votes in private ballot booths, except when circumstances make the use of ballot booths very difficult or impossible.

If the Obama NLRB dispenses with ballot booths, and instead makes it the norm for workers to cast their votes over unionization from, say, their home computers, that will greatly intensify the process's bias in favor of union organizers.

"Federal labor policy already authorizes professional union organizers to target individual workers by visiting them at their homes, a privilege of which they regularly take advantage," Mr. Mix pointed out.

"Forcing employees to vote at home would greatly exacerbate the abuses that already occur during such 'home



CREDIT: LAWMEMO

**Board member Craig Becker: Federal policy shouldn't acknowledge employees' "choice to remain unrepresented."**

visits.' Union organizers would visit workers' homes to 'make sure' they had voted electronically, and even offer to 'help' them cast their votes.

"The NLRB request purports to focus solely on 'secure' electronic voting from remote locations, but, as Ms. Liebman, Mr. Pierce, and Mr. Becker must surely know, that's a practical impossibility.


"Remote Internet voting, as a report sponsored by the National Science Foundation and published by the Internet Policy Institute concluded a few years ago, 'can be observed [by outsiders], opening the door to the possibilities of vote selling and coercion.'"

## Right to Work Supporters Will Fight Back in Every Possible Way

On June 23, the Committee's sister organization, the National Right to Work Legal Defense Foundation, formally submitted comments to the NLRB urging the agency not to proceed with implementing an abuse-ridden electronic balloting scheme.

Mr. Mix, who heads the Foundation as well as the Committee, acknowledged that Wilma Liebman and her cohorts were unlikely to pay heed, but added that going on the record now would be helpful for a future legal challenge.

"Right to Work supporters will fight back against 'electronic' voting, also known as 'card check light,' in every possible way," Mr. Mix vowed.

"If the NLRB goes ahead with its scheme, as now seems all but inevitable, the Right to Work movement will lead legislative as well as legal efforts to thwart it." 



CREDIT: CRISTY LI BLOG

Three of the four current NLRB members who were appointed or reappointed by President Obama are

veteran union lawyers. All three are expected to vote in lock-step to expand Big Labor's forced-unionism privileges.

# Obama Labor Bureaucrats to Bypass Congress?

## *'Electronic' Voting Would Facilitate 'Card Check'-Style Abuses*

Since the beginning of 2009, Big Labor has had a cheerleader in the Oval Office. At the same time, ample majorities of both chambers of the U.S. Congress have been willing to vote for virtually any power grab sought by union officials, as long as they could do so without running into intense, across-the-board constituent opposition.

Consequently, top union bosses have expected to see enacted in the current Congress legislation that would help them sharply increase the share of all private-sector workers who are under union monopoly-bargaining control.

Their original vehicle for achieving this objective was S.560/H.R.1409, the so-called "Employee Free Choice Act."

Sponsored by union-label Sen. Tom Harkin (D-Iowa) and Congressman George Miller (D-Calif.), S.560/H.R.1409 would grease the skids for Big Labor workplace takeovers in several ways. Most famously, it would effectively end secret-ballot elections in union organizing drives, replacing them with so-called "card checks."

That means, if S.560/H.R.1409 became law, union organizers would have far more opportunities than they

currently do to intimidate individual workers into signing not just themselves, but all of their nonunion fellow employees, over to Big Labor control.

Unfortunately for union bigwigs, the National Right to Work Committee and its allies have mobilized massive public opposition to the measure, greatly lowering its prospects for passage in its current form.

### **New NLRB Made to Order For Union Hierarchy**

In response, for many months now Big Labor lobbyists and union strategists have tried to concoct new, passable legislation that would accomplish the same objective through somewhat different means. But "Plan B" has been slow to emerge.

And now, the Obama Administration appears to be considering another, quicker and easier way of intensifying workplace elections' bias in favor union organizers. And this method has the advantage, from Big Labor's perspective, of not requiring any direct congressional involvement.

The powerful National Labor Relations Board (NLRB), which regulates

the labor-management relations of businesses employing well over 90% of America's private-sector employees, will soon be manned entirely by bureaucrats appointed or reappointed by pro-forced unionism President Barack Obama.

As this month's Newsletter goes to press, four of the five NLRB members are already Obama appointees or reappointees. And three of these four are veteran union lawyers.

Wilma Liebman, originally appointed to the Board by union-label President Bill Clinton and elevated to the chairmanship early last year by Mr. Obama, is an ex-lawyer for the notorious Teamster union.

Obama appointee Mark Pearce was, until this year, a career union lawyer in private practice in Buffalo, N.Y.

Craig Becker, who for years served as counsel for the Service Employees International Union (SEIU) and the AFL-CIO, has been Mr. Obama's most controversial appointee yet.

While Mr. Becker, Mr. Pierce, and Ms. Liebman will very likely almost always agree on the main issues in NLRB cases, Mr. Becker differs from the other two in having a long "paper trail" that from the time of his nomination made it plain to see just how radical he is.

### **Craig Becker: Union Monopoly Should Be Mandated, Even if Most Workers Don't Want It**

National Right to Work Committee President Mark Mix commented:

"Over the years, Craig Becker has publicly acknowledged believing that any employee or employer efforts to resist the unionization of a workplace are unacceptable.

"For example, in one 'labor studies' journal article, Mr. Becker dismissed the notion that workers should have any say whatsoever, whether as individuals or collectively by secret ballot or 'card check,' over whether or not they are unionized.

"Federal policy should not acknowledge employees' choice to remain unrepresented," contended Mr. Becker.

"Their only choice, he explained, should be over which set of union officials get 'exclusive' power to negotiate their wages, benefits and work rules.



CREDIT: JEFF SHEID LAS VEGAS REVIEW JOURNAL

President Barack Obama's NLRB now appears to be considering a scheme that would force employees to vote at a

location where their privacy from the peering eyes of union organizers can't be ensured.

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