

# NATIONAL RIGHT TO WORK NEWSLETTER

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## Right to Work Debated in State Capitals *But National Forced-Dues Repeal Measure Still Being Held Back*

Not long ago, Big Labor was crowing about having thwarted citizen efforts to pass new Right to Work laws in Indiana and New Hampshire this year. But it's now clear that the boasts of the union bosses were premature.

Legislative support for abolishing compulsory union membership, dues and fees has been and remains strong in both the Hoosier and Granite States. Union lobbyists have therefore had to rely heavily on Gov. Mitch Daniels (R-Ind.) and union-label Gov. John Lynch (D-N.H.) to prevent enactment of America's 23rd and 24th state Right to Work laws.

But now Mr. Daniels, under increasing heat from thousands and thousands of freedom-loving Hoosiers, including many who have supported him in the past, is signaling that he may reconsider his opposition to legislative votes on Right to Work measures in Indianapolis next year.

Meanwhile, Mr. Lynch's late-spring veto of H.B.474, which would prohibit the firing of New Hampshire employees for refusal to pay dues or fees to an unwanted union, may now potentially be overridden because of a sustained Right to Work lobbying campaign.

### States Can't Afford to Ignore Fact That Compulsory Unionism Hinders Economic Growth

"In the two years since the severe 2008-9 national recession officially ended, most state economies have recovered only feebly, if at all," commented National Right to Work Committee President Mark Mix.

"That's why many Indianans and New Hampshireites, along with the citizens of a number of other states

that have yet to enact Right to Work laws, are now emphatically telling their elected officials that they can't afford to ignore the fact that compulsory unionism hinders economic growth.

"Trends in employee compensation, that is, wages, salaries, bonuses and benefits, illustrate well the Right to Work growth advantage.

"From 2000 to 2010, the inflation-adjusted outlays of private-sector businesses for employee compensation increased by an average of 11.8% in Right to Work states. That increase is nine times as great as forced-unionism

states' combined 1.3% rise over the same period.

"Twenty of the 22 Right to Work states experienced a real compensation increase greater than the national average of 4.9%. And 14 of the 15 states with the lowest real compensation growth lack a Right to Work law."

Mr. Mix added that faster growth constitutes only a part of Right to Work states' edge.

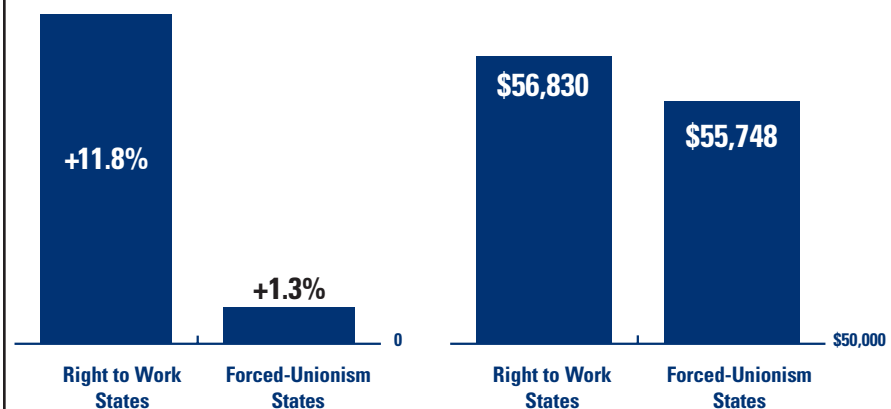
Adjusting for regional differences in living costs with the help of

*See Right to Work page 2*

### Private-Sector Compensation: Right To Work States Hold the Advantage

Real Compensation Growth, 2000-2010

Cost of Living-Adjusted 2010 Compensation Per Employee



Sources: U.S. Commerce Department, U.S. Labor Department, MERIC

By prohibiting compulsory union dues, state Right to Work laws spur the growth of private-sector employee

compensation. And faster growth is only part of the overall Right to Work economic advantage.

# Right to Work Measures Advancing

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indices created by the non-partisan Missouri Economic Research and Information Center (MERIC), in 2010 the average compensation per private-sector employee in Right to Work states was \$56,830. That's roughly \$1100 more than the average for forced-unionism states.

## Cost of Living-Adjusted Compensation Higher In Right to Work States

Indiana's cost of living-adjusted compensation per private-sector employee was roughly \$2000 below the Right to Work state average; New

Hampshire's was more than \$8000 below the Right to Work state average.

"No wonder pro-Right to Work employees and business owners and other concerned citizens in Indiana, New Hampshire, and other states like Pennsylvania, Michigan, Montana, Kentucky, Missouri and Maine are pushing harder than ever before for enactment of laws banning forced union dues and fees," commented Mr. Mix.

"In response to the mounting public pressure, legislative hearings on proposed Right to Work laws took place this summer in the Indiana and Pennsylvania capitals, and hearings in

Michigan's capital are now expected this fall.

"Even more important, if Gov. Mitch Daniels changes course late this year and stops standing in the way of legislative action on Right to Work, as he is now publicly indicating he may do, the Hoosier State may well outlaw forced union dues in 2012.

"Furthermore, a number of the handful of Big Labor-appeasing GOP representatives in New Hampshire who have so far sided with union-label Democrats in supporting Gov. Lynch's veto of H.B.474 may ultimately opt to heed the pro-Right to Work constituents who keep contacting them when the override vote occurs this fall.

"If enough switch over, that will make New Hampshire the first Right to Work state in the Northeast."


## Right to Work Hearing in Michigan, But Not in GOP-Controlled U.S. House?

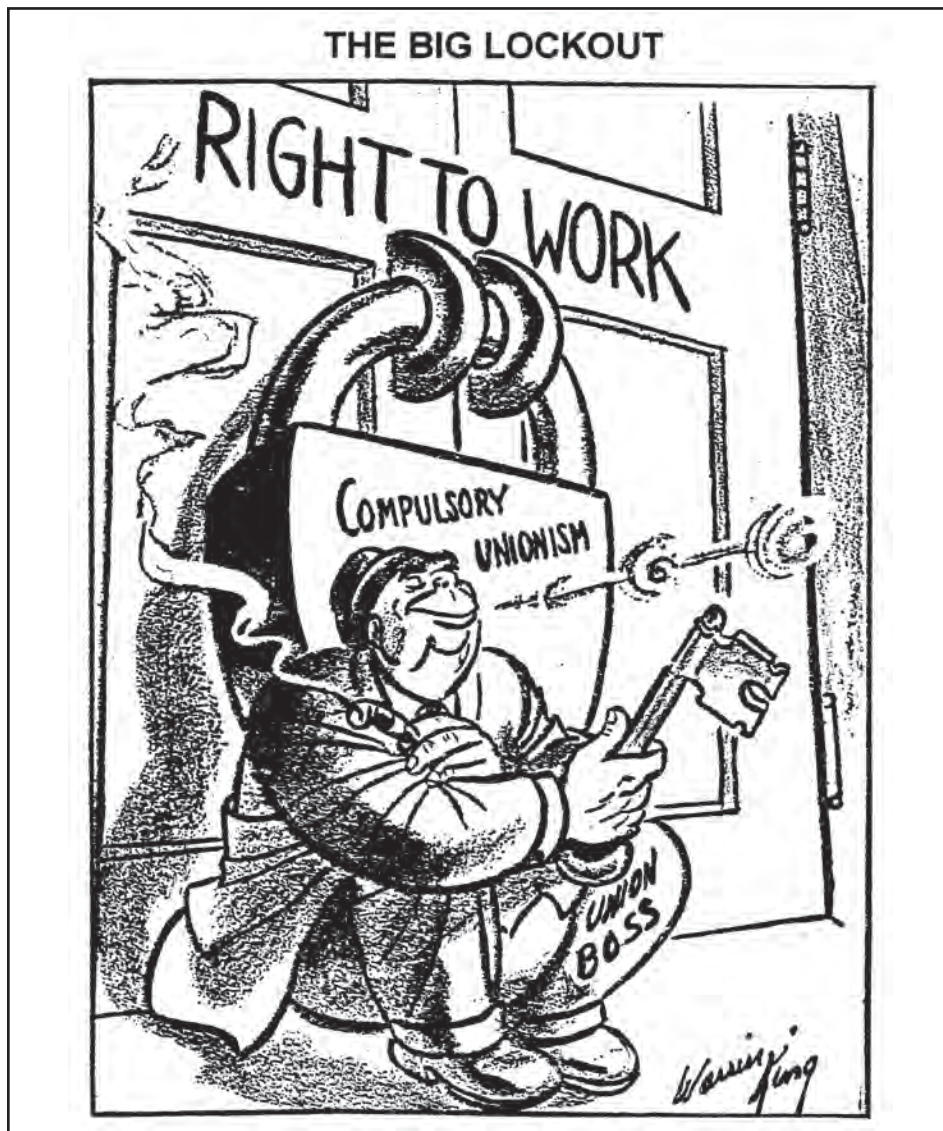
In view of the Right to Work advances now being made in historic Big Labor-stronghold states like Michigan and Pennsylvania, Mr. Mix noted, it is disappointing that federal forced-dues repeal legislation is still being held back in the U.S. Congress.

"That Big Labor Senate Majority Leader Harry Reid [D-Nev.] refuses to allow hearings or a vote on S.504, the Senate version of the National Right to Work Act, is unfortunate, but not surprising," Mr. Mix acknowledged.

"But why is House Speaker John Boehner [R-Ohio], who just last year made a campaign vow to support holding hearings and recorded votes on national Right to Work legislation, now keeping H.R.2040, the House forced-dues repeal measure, bottled up in committee?"

"The federal labor law provisions that authorize and promote compulsory union dues and fees represent a gross violation of the individual employee's freedom of choice. They are also an economic albatross as our nation struggles to recover from the worst recession in decades.

"Americans deserve to know which of their politicians, federal as well as state, support the unjust, economically unviable forced-unionism system. It's long past time for John Boehner to let H.R.2040 receive full House consideration." 



CREDIT: WARREN KING/NEW YORK DAILY NEWS

The National Right to Work Act (H.R.2040/S.504) would repeal all federal labor-law provisions under which

workers may now be terminated unless they fork over dues to a union monopoly-bargaining agent.



# Right to Work Has Been Right All Along

## Big Labor Spent \$1.14 Billion on Politics, Lobbying in 2009-2010

A surprising source has confirmed, unimpeachably, that Big Labor spends more than a billion dollars on politics and lobbying per federal campaign cycle.

National Right to Work Committee members have for years known this to be true.

But poor-mouthing union officials and supposedly nonpartisan monitors of political spending like the Washington, D.C.-based Center for Responsive Politics (CRP) continue even today to foster a false impression that Big Labor spends less on electioneering and lobbying than Big Business.

Unfortunately for the union bosses and their apologists, the very LM-2 forms that private-sector (and some government-sector) unions with annual revenues exceeding \$250,000 are required to file with the U.S. Labor Department show unambiguously they control by far the most massive political machine in America.

### Reported Union PAC Spending Only Tip of the Iceberg

In 2003, then-President George W. Bush's Labor Department revised these disclosure forms with the avowed goal of helping the millions of private-sector workers who are forced to pay union dues or fees as a job condition get a better idea of where there conscripted money was going.

This was a worthwhile initiative. Current labor laws, as interpreted by federal courts, unjustly authorize the firing of employees for refusal to pay for unwanted union monopoly bargaining, unless the employees are protected by a state Right to Work law.

But the U.S. Supreme Court, in precedents argued and won by National Right to Work Foundation attorneys, has made it clear time and again that employees may not legally be forced to pay for non-bargaining activities -- regardless of where they live.

Unfortunately, in a misguided and futile attempt to appease the union brass, Bush officials failed to require union reports to strictly segregate all bargaining and non-bargaining activities in the revised LM-2's.

Nevertheless, since the LM-2 revision withstood an extended Big Labor legal challenge and took effect,



**Top union bosses like the AFL-CIO's Richard Trumka control by far the biggest political machine in America.**

union officials have been required to report each year how much they spend on two major non-bargaining activities -- electioneering and lobbying.

And a recent National Right to Work Committee analysis of all LM-2 forms filed for the years 2009 and 2010 shows that unions filing such forms spent a total of \$1.14 billion in forced dues-funded union treasury money on "political activities and lobbying" in the 2010 election cycle alone.

That barely exceeded LM-2-filing unions' combined political and lobbying expenditures of \$1.06 billion in the 2008 campaign cycle.

Of course, such forced dues-fueled spending, which pays for phone banks, get-out-the-vote drives, propaganda

mailings, and much more, but doesn't go directly to candidates, far surpasses Big Labor's reported PAC contributions of \$63.7 million in 2009-2010 and \$66.4 million in 2007-2008.

### During Election Years, AFL-CIO Building Becomes 'National Party Headquarters'

Big Labor's "in-kind" political expenditures also far surpass business PAC expenditures. In 2007-2008, for example, the 1036 largest business and association PACs gave a total of \$275.5 million to federal candidates, or barely more than a quarter as much as union bosses spent on "in-kind" politics.

"The outsized political spending by union kingpins is nothing new," noted Committee Vice President Greg Mourad.

"Back in 1976, highly-regarded labor journalist Victor Riesel (now deceased) aptly stated that, in the months preceding federal elections, the AFL-CIO building becomes 'an instant national party headquarters -- easily a match for the national committees of the Democratic and Republican parties . . .'!"

"Moreover, unlike business and other interest group political spending, Big Labor's 'in-kind' expenditures on politics are financed primarily by forced-dues money, often paid by workers who personally oppose the union-boss agenda.

"Congress can and should end this outrage by passing a national Right to Work law prohibiting all forced union dues and fees." 📢

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# Wisconsin Governor in Big Labor Gun Sights

## *Union-Boss Bid to Regain Control Over State Senate Falls Short*

Early this year, Wisconsin Gov. Scott Walker (R) infuriated the union hierarchy, in his own state and nationally, when he introduced legislation (S.B.11) that would abolish forced union dues for teachers and many other public employees and also sharply limit the scope of union monopoly bargaining.

In response, teacher union bosses in Madison, Milwaukee, and other cities called teachers out on illegal strikes so they could stage angry protests at the state capitol.

Government union militants issued dozens of death threats against Mr. Walker, members of his administration, and their families. Fourteen union-backed state senators, all Democrats, temporarily fled the state to deny the pro-S.B.11 Senate majority a quorum to pass the bill.

In raucous demonstrations, union bigwigs and their radical followers actually suggested Mr. Walker's support for public employees' Right to Work made him similar to Mubarak, Mussolini, Stalin, Hitler, or even Satan.

Thanks in part to public support mobilized by the National Right to Work Committee's e-mail and telecommunications activities, pro-Right to Work legislators were able to withstand the Big Labor fury and send S.B.11 to Gov. Walker's desk. On March 11, he signed it into law.

### **'I Can't Even Phone Bank Because the Labor Temple Is Full'**

Wisconsin's Budget Repair Act of 2011, which withstood a union boss-inspired legal challenge and took effect in June, now protects the freedom of most public employees to refuse to bankroll an unwanted union, but leaves untouched the forced-dues privileges of public safety and transportation union bosses.

"Despite its unfortunate exclusions, this law represents a step forward for public employees' free choice. And its curtailment of government union bosses' monopoly privileges is already helping improve Wisconsin's tax and private-sector employment climates," said Committee Vice President Matthew Leen.



CREDIT: HILLBUZZ.ORG

**Wisconsin union bosses and their zealous allies have resorted to ugly and outrageous character assassination as**

**well as death threats in their campaign to perpetuate government forced-unionism privileges.**

"Meanwhile, union bigwigs are out for revenge against Gov. Walker and the legislators who helped pass the Budget Repair Act."

As part of its ongoing campaign to obtain vengeance and ultimately repeal the Budget Repair Act, early this year Big Labor launched petition campaigns for "recall" elections of Senate supporters of the measure.

Last month, special recall elections in which pro-forced unionism candidates challenged six pro-Right to Work senators took place. Three union-label Democrat senators who had opposed S.B.11 and temporarily fled the state to stop it from passing also faced recall votes this summer.

Big Labor and Democrat Party operatives were so determined to punish government forced unionism that they poured a total of at least \$20 million in cash alone, plus untold amounts of forced dues-funded "in-kind" contributions, into the nine state Senate races.

At 6 P.M. on August 9, the day six of the elections occurred, one Big Labor agent sent this boastful report from a local union hall: "I can't even

phone bank because the labor temple is full."

### **AFL-CIO Czar Insinuates Wisconsin Governor May Be Ousted From Office**

In the end, the unprecedentedly expensive legislative recall push by Big Labor enjoyed some success, as two of the six pro-S.B.11 senators went down to defeat, while all three forced-unionism senators held on to their seats.

However, the union political machine fell short of capturing the three seats it needed to relegate pro-S.B.11 Senate Majority Leader Scott Fitzgerald (R-Juneau) to minority status and reassume control of the chamber.

Nevertheless, national AFL-CIO czar Richard Trumka insinuated at an August 25 media event in Washington, D.C., that the Senate recall results actually show ousting Mr. Walker in a recall next year would not be too "difficult," according to a Washington *Examiner* report.

"Scott Walker clearly remains in Big Labor's gun sights," Mr. Leen concluded. 📌



# New Privileges For Transportation Union Chiefs?

## *Principled U.S. House Leadership Can Thwart Big Labor Power Grab*

Over the next few weeks, the U.S. House will have the opportunity to turn back a Big Labor-inspired bureaucratic rewrite of the procedures through which union officials acquire monopoly-bargaining privileges under the Railway Labor Act (RLA).

If self-avowedly pro-Right to Work House leaders and rank-and-file members blow this opportunity, another one won't come for a long time.

In June 2010, President Obama's two appointees on the three-member National Mediation Board (NMB) instituted an RLA rule change making it far easier for airline and railroad union chiefs to acquire monopoly power to negotiate employees' pay, benefits, and work rules.

NMB members Harry Hoglander and Linda Puchala, the two Obama-selected bureaucrats favoring the rule change, are both ex-union bosses. They overturned decades-old procedures previously supported by GOP and Democratic presidential administrations alike.

### **Union Monopoly Bargaining Hurts Employees and Businesses**

Federally-imposed "exclusive" (monopoly) union bargaining undermines efficiency and productivity by forcing employers to reward equally their most productive and least productive employees.

The damage is compounded when the employees already hurt by being forced to accept a union bargaining agent opposed to their interests are then forced to pay dues or fees to the unwanted union.

Fortunately, Right to Work laws in 22 states, where 39% of the private-sector workforce is employed, prohibit the collection of forced dues from the vast majority of employees wherever they are in effect.

However, in 1951, when Congress amended the RLA to impose for the first time forced union dues and fees on airline and railroad employees, Big Labor U.S. senators and representatives denied states the option to protect employees' Right to Work.

Ever since, union bosses have had the government-granted power to get airline and railroad employees fired for refusal to bankroll a union in all 50 states, including Right to Work states.

Partly in order to compensate for the unique privileges airline/railroad union officials enjoy, even relative to other union officials, federal labor policy has long set a somewhat higher bar for RLA-covered union bosses to acquire forced-union-dues powers.

Until last year, airline and railroad union kingpins needed the backing of the majority of all of a firm's employees in a "craft or class," not merely the majority of those who vote, to be installed as employees' monopoly-bargaining agent.

The Hoglander-Puchala bureaucratic rewrite of longstanding RLA procedures enables union chiefs to get monopoly power as long as a majority of the employees who vote back them.

### **House Showdown With Big Labor-Controlled White House And Senate Now Underway**

In March, International Association of Machinists (IAM/AFL-CIO) union bosses took advantage of this rule to grab monopoly control over more than 1900 AirTran employees, even though 66% had not voted for unionization.

Fortunately, the Federal Aviation Administration Reauthorization Act of 2011 (H.R.658), adopted by the House the following month, would overturn the Hoglander-Puchala scheme and restore the higher bar for union monopoly bargaining.

Before final passage of H.R.658, intense lobbying by National Right to Work Committee members persuaded a 220-206 House majority to defeat an amendment backed by Big Labor

Democrats and Big Labor-appealing Republicans endorsing Mr. Hoglander and Ms. Puchala's power grab.


This House vote set the stage for a now unfolding House showdown with the Obama Administration and union-label Majority Leader Harry Reid's (D-Nev.) Senate over RLA union monopoly bargaining.

### **Right to Work Vice President Urges Members to Keep Contacting Speaker Boehner**

"President Obama and Majority Leader Reid claim they won't go along with any FAA reauthorization that prohibits the NMB from greasing the skids for union monopoly bargaining over transportation employees," noted Committee Vice President Mary King.

"But if the House over the next month or two simply refuses to authorize FAA funding for Fiscal 2012, which begins October 1, and beyond, without an amendment restoring the RLA rules that prevailed until 2010, then it's very likely the President and Mr. Reid will have to change their tune.

"Big Labor Democrats know the American public doesn't want to see the FAA shut down for an extended period, as it already was briefly this summer, just so airline and railroad union bosses can grab even more monopoly power than they already have.

"I urge Committee members to keep contacting House Speaker John Boehner [R-Ohio] at 202-225-0600 to make sure he knows that, too." 



**If self-avowedly pro-Right to Work House Speaker John Boehner sticks to his guns, his chamber can effectively overturn an**

**Obama Administration scheme to grease the skids for union monopoly bargaining over transportation employees.**

# Wounded Ohio Contractor: 'I'm in Disbelief'

## *Shooting Victim's Workers, Firm Have Long Been Big Labor Targets*

Having grown over the course of several decades into one of the largest union-free electrical contracting businesses in the Toledo, Ohio, area, King Electrical Services and its employees are seasoned in dealing with Big Labor harassment, threats and violence.

John King started the firm during the 1970's, after first working for a unionized electrical contractor and serving a stint in the military. In his business's early days, Mr. King recalls, "it was nothing to have to regularly buy a new set of tires. The ice pick was the weapon of choice."

During a mid-eighties strike, King Electrical, which then had just eight or nine employees, was picketed by more than 50 International Brotherhood of Electrical Workers (IBEW/AFL-CIO) union militants. One employee had his car trashed and was also beaten up by IBEW thugs.

The harassment and violence have never stopped. Just during the first half of this year, goons hurled rocks through King Electrical's shop-front windows, and smashed the windows and slashed the tires of the company's trucks in separate incidents.

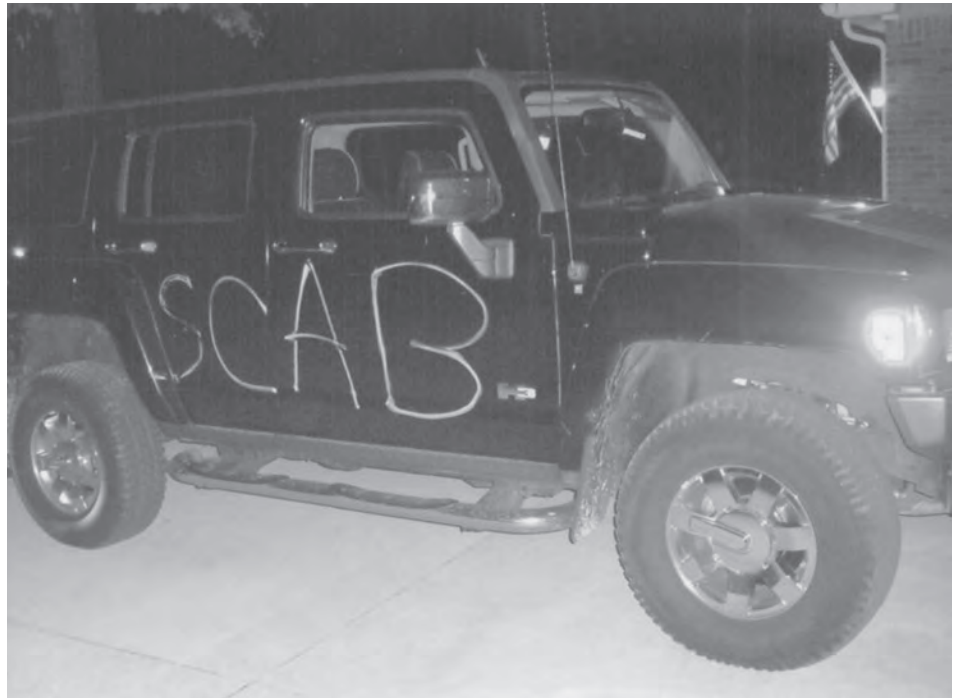
But somehow none of this prepared Mr. King for what happened to him on the night of August 10, while his wife was away with their grandchildren.

After waking up at his home in Monroe County, Mich., 2.5 miles from Toledo, Mr. King noticed that the motion lights in his driveway had come on. He then looked out his front window and saw a man who appeared to be breaking into his SUV.

### **'It's Not So Surprising That Union Militants Think They're Above the Law'**

As a resident of a neighborhood where violent crime is practically unheard of, Mr. King unhesitatingly walked out his front door to yell at the apparent thief.

So confident was Mr. King that his home was his "safe haven" from the Big Labor thuggery he and his employees have often faced on the job, in fact, that, prone and bloodied in front of his house a few seconds later, he didn't realize he'd been shot.



CREDIT: COURTESY OF JOHN KING

**Independent contractor John King's SUV was parked in his own driveway when it was vandalized by a forced-**

**unionism militant. When Mr. King verbally confronted him, the perpetrator pulled out a gun and shot him.**

Now he and the police know that the still-at-large intruder who fled the scene after shooting Mr. King with a handgun was not breaking into his vehicle, but planning to slash its tires after having scrawled "SCAB" across the side of the SUV.

Mr. King still finds it hard to accept that union zealots would go so far as to make his home, where his grandchildren are often to be found, part of their battlefield against his independent firm. "I guess I'm in disbelief," he told Fox Business Network host Stuart Varney a few days after he'd been shot.

National Right to Work Committee President Mark Mix commented: "Employees, business owners, and other Americans are often shocked to find out how vicious union bosses and their fanatical followers can be.

"But it's not so surprising that union militants think they're above the law.

"In all 50 states, federal labor policy grants them the unique, monopolistic privilege to 'represent' employees who refuse to join the union as well as those who do in contract negotiations with the employer.

"Having wielded their monopoly-bargaining privileges for decades, union bosses now take them for granted."

### **Revoking Union Bosses' Monopolistic Legal Privileges Would Help Curtail Violence**

Mr. Mix continued:

"They think, if under federal law they have uncontested power to 'negotiate' the terms and conditions of employment for union nonmembers in unionized businesses, why shouldn't they also have the power to 'negotiate' the terms and conditions of employment for independent workers in union-free firms?

"And why shouldn't they be allowed to get rough if the employees and owners of union-free firms refuse to go along?"

The local police effort to identify, capture and bring to justice the forced-unionism militant who shot John King continues as this Newsletter edition goes to press.

But the long-term remedy for Big Labor lawlessness, Mr. Mix said, "is to take away union bosses' federal monopoly-bargaining and forced-dues privileges. And that's a job that Congress is obliged to do." 📧



# Congress Controls NLRB's Budget

Continued from page 8

"No wonder, then, that there is no shortage of politicians in Congress with ideas about how to derail the Boeing case -- some better than others.

"One promising approach is to exercise Congress's constitutional power over the NLRB budget. Committee legislative staff members are now working with Capitol Hill allies to secure legislative votes this fall on appropriations amendments cutting off funds for pursuit of the NLRB's Boeing case.

"Better yet would be for Congress to vote to defund the NLRB completely. Back in February, the Committee supported an appropriations amendment by pro-Right to Work Congressman Tom Price [R-Ga.] that would have blocked all taxpayer funding for NLRB operations for the rest of Fiscal 2011.

"It's bad enough that America's federal labor laws are strongly biased against the individual employee's Right to Work. Leaving enforcement of these laws in the hands of forced-unionism ideologues like Lafe Solomon, rather than less partisan Department of Justice attorneys, only makes matters worse."

Mr. Mix continued: "And the fact is, the Boeing power grab is only one of

an array of ways in which the Obama NLRB is now threatening to eviscerate employees' Right to Work."

Another ongoing attack on employees' personal freedom is the "ambush" election proposal expected to be finalized by President Obama's NLRB bureaucrats within a few weeks after this Right to Work Newsletter edition goes to press.

## 'Ambush' Elections Would Deny Workers a Meaningful Vote

Wilma Liebman, originally appointed to the NLRB by union-label President Bill Clinton and elevated to the NLRB chairmanship by Barack Obama in 2009, and two Obama-appointed board members, Craig Becker and Mark Pearce, officially announced the "ambush" election plan on June 22.

In practice, the proposed changes would eviscerate workers' right under current law to make a collective choice against union monopoly bargaining in their workplace.

Under federally-authorized union monopoly bargaining, the bosses of a single union wield "exclusive" power to negotiate employees' pay, benefits, and

work rules. Employees who refuse to join the union are denied the freedom to bargain over their job conditions on their own behalf or through another union.

Currently, the NLRB allows an average of 38-40 days from the time an employer is notified that a union is seeking monopoly-bargaining privileges over his or her employees to the time the workplace election over unionization occurs.

Employers often use that relatively brief period of time to make the case to their employees that unionization isn't in their best interest.

But the "ambush" election rules proposed by the Obama NLRB would shorten the time frame to 10-14 days, or perhaps even less.

Mr. Mix charged: "Effectively, employees would be denied the opportunity to hear both sides of the story before voting on unionization, because employers would be denied enough time to make their case."

## Employee Phone Numbers, E-Mail Addresses Would Be Handed Over to Union Organizers

In addition to denying business owners and managers any real chance to counter union organizers' claims, the NLRB's proposed new rules mandate that employee phone numbers and e-mail addresses be handed over to union organizers at the outset of each "ambush" election campaign.

The new rules would also make it even more difficult for independent-minded employees and businesses to challenge election misconduct by union bosses and their henchmen.

"Fortunately, the U.S. House, under the leadership of avowed Right to Work supporter John Boehner [R-Ohio], has the power to cut off funds for implementation of the NLRB 'ambush' election scheme as well as for prosecution of the Boeing complaint," noted Mr. Mix.

"By refusing to vote for a Fiscal 2012 NLRB budget unless it curtails Obama bureaucrats' worst excesses, the House can actually stop many board abuses without the cooperation of union-label Senate Majority Leader Harry Reid [D-Nev.] or the White House.

"But that will require intestinal fortitude on the part of Speaker Boehner and other House leaders, and ever-intensifying mobilization of Right to Work supporters nationwide." 📣



CREDIT: TWVLAH.COM

If the Obama-selected top lawyer for the National Labor Relations Board gets his way, Boeing will have no real choice but

to abandon its new billion-dollar assembly line and 1000 good jobs in North Charleston, S.C.

# 'Without Any Warning, the Rules Have Changed'

## *New York Times Pundit: Reckless Obama NLRB 'Paralyzing' Economy*

For years, *New York Times* commentator Joe Nocera has been one of the most relentless champions of government regulation of business and "stimulus" spending in the American media.

When even Mr. Nocera starts agreeing with critics of a presidential administration that it has gone "too far" in interfering with the decision-making of businesses and their employees, that administration clearly has a serious problem.

Therefore, Mr. Nocera's August 23 *Times* column about the ongoing effort by Acting National Labor Relations Board (NLRB) General Counsel Lafe Solomon to dictate where businesses may or may not expand should have set off alarm bells at the White House.

Mr. Solomon's immediate target is Boeing and its employees in Right to Work South Carolina. In April, he filed a complaint against the company, America's biggest exporter of manufactured products, for initiating a new 787 Dreamliner assembly line in North Charleston.

As Mr. Nocera observed in his column bemoaning this Solomon power grab, "Boeing's aircraft assembly has long been done by its unionized work force in Puget Sound, Wash." Indeed, seven Dreamliners will still be assembled each month in Puget Sound.

"The South Carolina facility," Mr. Nocera explained, "is a hedge against the possibility" that International Association of Machinists (IAM) union kingpins will order unionized employees in Puget Sound out on strike, and thus "shut down production of the Dreamliner."

### **A 'Mind-Boggling Stretch' To Characterize Boeing's Strategy as 'Retaliation'**

Boeing chose to add its North Charleston line, which will assemble three Dreamliners a month, only after trying assiduously, but unsuccessfully, to negotiate with IAM chieftains a "moratorium on strikes -- precisely because it needed to get the airplane into the hands of impatient customers."

For a company that had no other economically viable way of avoiding recurrences in the future of strikes that



CREDIT: CONGRESSMAN DARRELL ISSA'S PHOTOSTREAM

**With his ongoing attack on Boeing employees in Right to Work South Carolina, Acting NLRB General**

**Counsel Lafe Solomon is illustrating why his agency must be reined in or completely defunded.**

have cost its shareholders, employees and clients billions of dollars in the past, the South Carolina expansion was "a perfectly legitimate hedge" that it could make without fear of legal repercussions.

But this spring Mr. Solomon, the man whom President Obama unilaterally installed as acting NLRB general counsel in June 2010, declared that making such a hedge to avoid or at least mitigate multi-billion-dollar revenue losses stemming from disruptive IAM strikes constitutes illegal "retaliation."

Even for a normally regulation-happy pundit like Mr. Nocera, it is a "mind-boggling stretch" to characterize Boeing's strategy as "retaliation."

And that is what the *Times* columnist finds "so jarring about this case -- and not just for Boeing. Without any warning, the rules have changed. Uncertainty has replaced certainty. Other companies have to start wondering what other rules could soon change. It becomes a reason to hold back hiring."

In short, the Obama NLRB's aggressive rewriting of federal labor law to benefit the President's political patrons in the union hierarchy is "paralyzing" job creation.

The Boeing case is currently before an NLRB administrative law judge and could drag on for years.

### **Right to Work Legislative Staffers Push For Effective Congressional Countermeasures**

But National Right to Work Committee officers and members and other Americans concerned about the anti-employee, anti-business, and anti-economic growth impact of the Solomon complaint are fighting back.

"Working together with other citizen groups who share our position on this issue, the Committee aims to bring a halt to the NLRB attack on the 1000 Dreamliner assembly employees already at work in North Charleston and their employer before any more damage is done," said Committee President Mark Mix.

"The Obama-selected acting general counsel's action, which has apparent philosophical support from members of the Obama board itself, is outrageous. This action has deeply offended millions of Americans who otherwise hold disparate views about public policy.

*See Congress page 7*