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Hobbs Act Loophole Legitimizes Union Violence *Georgia Congressman Strives to Abolish 'Union-Thug Exemption'*

In today's America, prosecutions of Big Labor arson, assaults, death threats, and other serious crimes are extraordinarily difficult.

Such prosecutions are frequently hindered because of a loophole in federal law that exempts extortionate violence from prosecution when it is committed pursuant to so-called "legitimate union objectives."

And one objective that federal law clearly deems to be "legitimate" is to expand the number of employees who are forced to accept union representation and pay union dues as a condition of employment.

"Time and again, federal prosecutors have amassed extensive evidence that Big Labor bosses have orchestrated, authorized and/or ratified violence, vandalism and threats for union organizing purposes," noted Mark Mix, president of the National Right to Work Committee.

"Nevertheless, because of the pro-union violence loophole in the federal Hobbs Act, extortion prosecutions of the implicated union officials ultimately fail -- or never even get off the ground."

In its controversial 1973 *Enmons* decision, Mr. Mix explained, a divided U.S. Supreme Court exempted threats, vandalism and violence perpetrated to secure "legitimate" union goals.

Union Goons in Buffalo Accused of Sabotage, Assault With a Knife, Rape Threat

What this means in practice can be illustrated by a federal criminal case, now before U.S. District Judge William Skretny in New York, against 10 former officers and militants of the Buffalo-based Local 17 of the International



CREDIT: AP

In southwestern Washington last September, overpowered police were unable to prevent bat- and ax handle-

wielding union toughs from systematically sabotaging a multi-million-dollar grain terminal.

Union of Operating Engineers.

Ex-Local 17 President/Business Manager Mark Kirsch and his henchmen are charged with "using violence, death threats, and extreme acts of vandalism" to intimidate nonunion construction workers, managers and executives, as well as their family members, according to a 2010 *Buffalo News* account of the case.

News reporter Dan Herbeck explained that the alleged conduct includes, for example, "causing \$330,000 damage by pouring sand into the engines of construction vehicles, stabbing a construction company owner in the neck, and throwing scaldingly hot coffee at construction workers."

Union goons are also accused of telling "an official of a Buffalo development company that they were going to his home to sexually assault his wife."

The vandalism, threats and violence allegedly went on for years and systematically targeted construction employees and companies who wished to remain union free.

Now-retired U.S. Attorney Terrance Flynn, who originally indicted Mr. Kirsch and his cohorts in 2008, has said: "We believe they had a negative financial impact on almost every major construction project in western New York over the past 10 years."

See Union Thugs page 2

Union Thugs Ought to Be Punished

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Union lawyers tacitly concede that any business owner who engaged in conduct similar to what their clients are accused of as a means of scaring off potential competitors could be charged with criminal extortion under the Hobbs Act.

At the same time, Big Labor's legal strategists insist former Local 17 officers and their toughs cannot be prosecuted under the same law -- even if all the charges in the indictment can be proven in court.

High Court Has 'Decided' That Union Officers 'Should Not Be Charged With Extortion'

Just last September, Brian Melber, the lawyer for one of the Local 17 defendants, smugly told *News* reporter Phil Fairbanks:

"The Supreme Court decided almost 40 years ago that . . . union [officers] should not be charged with extortion" when the motive for their extortionate violence, threats, and vandalism is unionization of nonemployees and firms!

Another union lawyer involved in the case, Mark Mahoney, similarly claimed: "The Supreme Court put a lid on this 35 years ago."

The national AFL-CIO hierarchy itself tried to submit a friend-of-the-court brief in the Local 17 case apparently also arguing the defendants can't be prosecuted under the Hobbs Act, but Judge Skretny refused to accept it.

"As shocking as it seems, Big Labor lawyers' efforts to quash the racketeering case against Local 17 may ultimately prevail in federal court," commented Mr. Mix. "The case may die before the voluminous evidence is even considered."

Freedom From Union Violence Act Would Close 'Lethal Loophole'

Early last year, Judge Skretny enraged the union brass by ruling that the Local 17 case could proceed, despite *Enmons*, largely because Local 17 union hoodlums were aiming to extort construction employers into signing so-called "pre-hire agreements."

Employers have the right under federal law to refuse to negotiate with union bosses over "pre-hire agreements," the judge noted. Therefore, Big Labor violence and threats aimed at getting employers to sign them aren't protected by *Enmons*, he ruled.

Union lawyers are now doggedly fighting to get this slight narrowing of Big Labor thugs' "lethal loophole" overturned. Even if they don't succeed, the vast majority of union violence perpetrated in our time will continue to receive special legal protection.

But it doesn't have to be that way.

"Fortunately, since the Supreme Court's *Enmons* decision interpreted federal law, not the U.S. Constitution, Congress retains the power to override it legislatively," Mr. Mix explained.

"And this month GOP Congressman Paul Broun, acting at the behest of his pro-Right to Work Georgia constituents and cooperating closely with the Committee's legislative staff, is planning to introduce a bill that would at last close the *Enmons* loophole.

"Mr. Broun's proposal, known as the Freedom from Union Violence Act, would hold union officials who plan, commit, or foment extortionate violence against a firm's employees to the same standard as business rivals, gangsters, or anyone else who does the same."

Massive Mail, Phone And Media Programs Needed to Enlist Support

Passage of this reform won't be easy, Mr. Mix acknowledged.

"Union-label politicians, led by President Barack Obama and Senate Majority Leader Harry Reid [D-Nev.], will almost certainly oppose the Freedom from Union Violence Act, tooth and nail.

"But Right to Work supporters can't afford to pass up this fight and let union militants continue getting away with breaking the law.

"For example, in southwestern Washington last September, overpowered police were unable to prevent bat- and ax handle-wielding union toughs from systematically sabotaging a multi-million-dollar grain terminal. No arrests were made at the scene. Union bosses are unlikely even to face charges for orchestrating this attack, although this is evidently exactly what they did.

"That's why the Committee, despite the uphill battle we face, is launching a full-scale campaign to pass the Freedom from Union Violence Act.

"This year, the Committee plans to contact millions and millions of Americans by e-mail, phone and mail and ask them to sign and return petitions in support of the Broun bill to their congressmen and senators.

"If funds are available, we also hope to run hard-hitting, targeted radio and newspaper ads to overcome Big Labor's lobbying machine.

"Poll after poll has shown citizens nationwide overwhelmingly support closing the *Enmons* loophole. That's why I believe this battle can be won. But to prevail, Right to Work members will have to wage an extended and furious fight." 🗣️



CREDIT: ABC NEWS

This month, pro-Right to Work Congressman Paul Broun (R-Ga.) intends to introduce legislation that would at last

hold union officials who plan, commit, or foment extortionate violence liable for prosecution under the Hobbs Act.

Obama NLRB Still 'Screwing Up the U.S. Economy'

House Oversight Chairman Seeks Answers From Board's Top Lawyer

The legal blitz launched against Boeing and its Palmetto State employees last spring by Lafe Solomon, the President Obama-appointed acting general counsel for the National Labor Relations Board (NLRB), is now over.

Unfortunately, the grave threat to American employees' Right to Work stemming from this case is unabated.

Last April 20, Mr. Solomon, the board's top lawyer, asked an NLRB administrative law judge to block Boeing from initiating a second Dreamliner 787 aircraft production line in Right to Work South Carolina.

Mr. Solomon's case was built on a complaint filed by International Association of Machinists (IAM/AFL-CIO) union bosses.

Employees in Right to Work States Are Mr. Solomon's Principal Targets

Boeing had no right, union officials claimed, to expand production in a Right to Work state so as to cut the cost to customers, employees and shareholders of the disruptive strikes that the union brass had repeatedly instigated at the company's west coast facilities over the years.

The most recent such strike, in 2008, lasted 58 days and cost the company \$1.8 billion.

Of course, production workers as well as managers, shareholders and customers are hurt by strikes, and it makes perfect business sense to try to avoid them.

Nevertheless, Mr. Solomon, egged on by IAM union chiefs, insisted Boeing's expansion choice was motivated by "anti-union animus," and therefore illegal.

From the beginning, Right to Work supporters recognized that Boeing and the South Carolina employees who would lose good jobs if Mr. Solomon's position prevailed were not the acting general counsel's only targets.

Until the legal theory behind the Boeing complaint was rejected in an NLRB or federal court ruling, they reasoned, any business owner who acted on the desire to extract himself or herself from resource-consuming Big Labor class warfare might be found guilty of committing an "unfair labor practice."



CREDIT: WWW.BUSINESSPUNDIT.COM

Pro-Right to Work Congressman Darrell Issa wants to know more about why the Boeing complaint was filed.

And employees in any state or locality with a comparative advantage in labor relations in any industry were potential targets. However, in practice, employees in the 22 states with Right to Work laws barring forced union dues and fees would be the main targets, since those states are where most U.S. job growth has occurred in recent decades.

Congressman Darrell Issa: House Investigation Into Boeing Case Will Continue

"The dismissal of the Boeing complaint in December was good news for Right to Work South Carolina, the company, and its employees," said

National Right to Work Committee Vice President Greg Mourad.

"Unfortunately, this out-of-court resolution does nothing to stop Lafe Solomon from using the same radical reinterpretation of federal labor he concocted last April to kill thousands of other jobs for other independent employees in other industries.

"Mr. Solomon himself has recognized the chilling impact of the Boeing case. In one internal NLRB e-mail obtained by the educational group Judicial Watch, he cynically quipped that, by bringing it, he had 'screwed up the U.S. economy.'

"The fact is, even with the Boeing case now out of the way, Mr. Solomon is still 'screwing up the U.S. economy.'

"That's why the Committee is now working closely with Capitol Hill allies to turn up the pressure on President Obama to remove Mr. Solomon from his post as acting general counsel and nominate in his place someone who is markedly less contemptuous of federal labor statutes and precedents.

"The Committee's ongoing efforts were recently given a boost by House Oversight and Government Reform Chairman Darrell Issa [R-Calif.], who announced December 14 that his investigation into the circumstances of the Boeing complaint is continuing in the wake of the case's resolution."

Mr. Mourad urged Right to Work supporters everywhere to call the White House comment line, 202-456-1111, and leave a message asking for a new NLRB general counsel. 📞

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Barack Obama Sees No Taint in Teamster Brass

Presidential Pal Jim Hoffa Recently Tried to Bribe Union Rivals

For decades, Inside-the-Beltway politicians have again and again sullied themselves and the American public's view of how Washington, D.C., works by turning a blind eye to Teamster union-boss corruption.

Undoubtedly, the best-known example is the Nixon Administration's 1971 decision to pardon Teamster czar Jimmy Hoffa well before he had served out his 13-year sentence for mail fraud and attempted bribery of a federal jury.

More recently, the George W. Bush Administration publicly toyed from 2001 to 2003 with cutting an outrageous deal to end federal oversight over the Teamsters, even as major cases of ongoing rampant Teamster-boss corruption and orchestration of strike violence were making national news.

(Thanks largely to the fierce and vocal opposition of citizens who support the rule of law, the Bush Administration never actually cut the deal.)

And now it is Democratic President Barack Obama who is practicing the "old politics" of coddling corrupt Teamster officials in exchange for Teamster forced dues-funded "in-kind" campaign support as Mr. Obama prepares for a potentially tough re-election bid this fall.

Barack Obama and Teamster Kingpin Are 'Like Tweedledum and Tweedledee'

As opinion writer and blogging maven Michelle Malkin pointed out in one of her syndicated columns early last fall, Mr. Obama and current Teamster President Jim Hoffa (the son of Jimmy, who disappeared in 1975 and is presumed dead) have over time become "like Tweedledum and Tweedledee," that is, inseparable.

Ms. Malkin was writing shortly after Mr. Hoffa had vowed at a Michigan rally, with the President standing nearby, to "take out" elected officials who disagree with Big Labor's Tax & Spend and forced-unionism agendas. The Teamster chief also coarsely referred to such supporters of limited government as "sons of b*****s."

Some observers criticized the White House for subsequently refusing to condemn Mr. Hoffa's "uncivil tone."



Despite a judge's recent finding that Teamster chieftain Jim Hoffa "raided the Teamster treasury to try to buy his

own reelection support with jobs and pensions," President Obama continues doggedly courting Mr. Hoffa's support.

But team Obama could hardly be expected to do that.

After all, the President's 2012 re-election campaign apparently isn't concerned that a federal court found early last year that Mr. Hoffa and his cohorts had attempted to bribe two Teamster international officers and another high-level Teamster boss.

According to Ms. Malkin's colorfully accurate summary, federally-appointed Teamster election judge Kenneth Conboy found that Mr. Hoffa "and his goons [had] raided the Teamster treasury to try to buy his own reelection support with jobs and pensions."

'Desist From Using Union Resources to Conduct [Internal Union] Campaign Activity'

Unfortunately, the most significant penalty imposed on the Hoffa campaign for its attempted bribery was to be required to pay for a mailing to all Teamster locals describing the criminal acts and instructing all candidates on the Hoffa slate to "desist from using union resources to conduct [internal union] campaign activity."

In November, Jim Hoffa won a fourth term as Teamster president, and his entire slate won election with fewer than 20% of eligible union members voting.

"Federal monitors obviously lack the clout to curtail Teamster abuses. And President Obama is obviously so eager to have the Teamsters' massive forced-dues treasuries deployed for his own re-election campaign he won't even distance himself somewhat from proven bribe offerer Jim Hoffa," noted National Right to Work Committee Vice President Mary King.

"What can be done? Of course, the genuine way to break the cycle of corruption and violence in the Teamsters and other unions is passage of national Right to Work legislation.

"That would empower rank-and-file workers to fight union misdeeds by resigning and withholding their dues, without being fired as a consequence.

"The Committee is mobilizing support nationwide for H.R.2040 and S.504, the two national Right to Work measures currently before Congress. Every House member and senator who truly wants to crack down on union corruption should support this legislation." 📢

'Tis the Season to Shake Down Workers?

Longshore Union Dons Accused of Holiday Extortion, Other Crimes

A superseding indictment filed last month by federal prosecutors adds dozens of counts to a January 2011 indictment charging former International Longshoremen's Association (ILA/AFL-CIO) union bosses and other conspirators with running an extortion operation for decades.

Unionized workers were the principal victims.

According to a press release issued December 15 by the office of the U.S. attorney for the Eastern District of New York, the latest indictment includes "61 additional predicate acts of extortion" of ILA-"represented" workers by Albert Cernadas. Mr. Cernadas is the former president of Newark-based ILA Local 1235 and a former executive vice president of the ILA itself.

Nunzio LaGrasso, the vice president of another Newark-based ILA local, is accused of 12 additional predicate acts of extortion of unionized workers.

One especially egregious form of extortion in which Mr. Cernadas, Mr. LaGrasso, and other ILA kingpins allegedly engaged was the collection of "Christmas tribute" money from New Jersey dockworkers after they received year-end bonuses.

This tribute was allegedly funneled into Genovese crime family coffers as well as ILA chieftains' pockets. Some victims were coerced by their ILA "representatives" into paying "thousands of dollars each year" to Genovese mobsters at Christmastime, charges U.S. Attorney Loretta Lynch.

'Force, Violence and Fear' Systematically Used by Union Bosses to Coerce Dockworkers

Specifically, the indictment accuses Mr. Cernadas, Mr. LaGrasso, Genovese operative Stephen Depiro, and others of agreeing to obtain "money belonging to ILA union members, with their consent, which consent was to be induced by wrongful use of actual and threatened force, violence and fear"

The ILA union boss/Genovese shakedowns of workers described in last year's indictments are alleged to have been systematic and to have continued for roughly three decades,

until early 2011, on the piers of New Jersey and New York.

One of the accused ILA union officers, Edward Aulisi of Flemington, N.J., was caught on tape assuring gangster Michael Coppola that a change at Local 1235's helm wouldn't stem the flow of workers' money being funneled into mob coffers.

Mr. Aulisi, identified by prosecutors as a "Genovese crime family associate," was previously investigated by the Waterfront Commission of New York Harbor for holding what commission officials charge was a no-show job.

At an October 2010 hearing, commission officials showed photographs of Mr. Aulisi "barbecuing and riding a lawn mower while he was scheduled to work," according to a New Jersey newspaper account last month. The commission requested that he respond to its charges under oath, but he opted instead to invoke his Fifth Amendment right against self-incrimination.

Tarnished House of Labor Can Only Be Cleaned by Workers Exercising Free Choice

"The ILA's New York Harbor locals are representative of many other union operations that have remained crooked, decade after decade, despite multiple


crackdowns by law enforcement," noted National Right to Work Committee President Mark Mix.

"And federal labor laws that force employees to accept unwanted union representation and pay union dues or fees as a condition of employment are the single most important reason why.

"More than 50 years ago, labor law scholar and onetime unpaid union organizer Sylvester Petro cogently explained the source of the Big Labor corruption, theft, extortion, brutality, and human exploitation that had then recently been exposed in televised hearings held by U.S. Sen. John McClellan [D-Ark].

"Speaking in regard to the tarnished house of labor in a 1957 address to business leaders regarding the McClellan Committee revelations, Mr. Petro insisted that the 'house cleaners will have to be the working men of this country.'

"He continued: 'The cleansing materials will have to be their own free choice and their right to refuse to join unions or to participate in strikes, picketing, and boycotts.'

"The words of Sylvester Petro, who passed away in 2007, continue to ring true today. It is long past time for Congress to pay heed by repealing all provisions in federal labor law that authorize compulsory union dues and fees." 



One ILA union don, Edward Aulisi (right), was allegedly caught on tape assuring a gangster that a change at

Local 1235's helm wouldn't stem the flow of workers' money being funneled into mob coffers.

CREDIT: STAR-LEDGER (NEWARK, N.J.)

'A Choice, Not an Echo' on Forced Unionism

Right to Work Committee Intensely Lobbies Presidential Hopefuls

As the 2012 presidential primaries and caucuses begin this month, millions and millions of Americans are looking for a clear alternative to the Obama Administration's relentless promotion of compulsory unionism.

Ever since he became U.S. President three years ago, Barack Obama has eagerly championed Big Labor power grabs in Congress and selected forced-unionism zealots for leadership positions at the National Labor Relations Board (NLRB), the Labor Department, and other federal bureaucracies.

But polls show the vast majority of all Americans who regularly vote in federal elections believe the Obama Administration is just plain wrong to favor forcing workers to pay union dues to get a job.

And opposition to pro-forced unionism federal policies is especially intense among likely voters in the states where the crucial first contests for the 2012 Republican presidential nomination are taking place.

Surveys recently conducted for the National Right to Work Committee by respected pollster Kellyanne Conway confirm that likely voters in the New Hampshire and South Carolina primaries this month overwhelmingly agree that federal labor laws should either protect the Right to Work, or be scrapped completely.

'Will the Next President Of the United States Stand up to Big Labor?'

Ms. Conway's scientific survey, conducted November 18-21 by live interviewers at a computer-assisted telephone facility, found that 72% of likely Granite State primary voters believe federal law should "definitely not" allow "labor union officials to have a worker fired . . . for not paying union dues or fees." An additional 9% said federal law should "probably not" allow that.

In the Palmetto State, the results were even more lopsidedly pro-Right to Work.

An overwhelming 82% of likely South Carolina primary voters said federal law should "definitely not" sanction forced union dues or fees. Another 4% said "probably not."

In both states, there was massive opposition to compulsory unionism



While four of the current 2012 GOP presidential hopefuls have signed and returned surveys pledging 100% support

for Right to Work if elected, so far front-runner Mitt Romney and two others have not.

among GOP primary voters regardless of income level, and regardless of whether they identified themselves as "conservatives" or "moderates."

Committee Vice President Matthew Leen noted:

"The Obama team's schemes to expand forced unionism, such as presidentially-appointed Acting NLRB General Counsel Lafe Solomon's ongoing crusade to intimidate forced-unionism state businesses from relocating to or expanding in Right to Work states, [*ed. -- see page three for details*] are very unpopular.

"As an alternative to Mr. Obama, freedom-loving Americans of all parties want a President who's ready to fight for the Right to Work principle. Will the next President of the United States stand up to Big Labor?"

"Or will he or she spend the next four years avoiding confrontation with the union bosses because they're 'too powerful' to take on?"

Right to Work Proponents Have Serious Concerns About Several GOP Candidates

As this Newsletter edition goes to press just before the Iowa caucuses, Right to Work leaders and members have serious concerns about several of

the remaining candidates for the GOP presidential nomination.

"The good news is, Michelle Bachmann, Rick Perry, and Ron Paul have all responded to their Committee candidate surveys and staked out their position 100% in opposition to compulsory unionism and in favor of a national Right to Work law," reported Mr. Leen.

"And even Newt Gingrich, who as a congressman consistently refused to cosponsor national Right to Work legislation and actively opposed Committee efforts to force a roll-call vote on the bill, has now also returned his survey, pledging full support for the Right to Work.

"The bad news is, several other candidates, including Rick Santorum and the front-runner, Mitt Romney, have yet to return their Right to Work surveys. Worse yet, in their previous stints as officeholders, Mr. Santorum and Mr. Romney both had a bad habit of trying to appease the union bosses."

Mr. Leen urged Right to Work members, especially residents of early primary states, to continue intensely lobbying Mr. Santorum and Mr. Romney, along with the other nonresponsive GOP hopeful, Jon Huntsman. "There's still time for all these candidates to stand up for the Right to Work," he concluded. 📞

'Compulsory Unionism Is Wrong'

Continued from page 8

Employees are consequently far less likely to reach their full productive potential and reap the accompanying benefits.

"Compulsory unionism is wrong, plain and simple," affirmed Mark Mix, president of the National Right to Work Committee.

"It is also an economic albatross for many states and for America as a whole as our economy struggles to recover from the worst recession in decades.

"Twelve of the 13 states suffering the worst net losses of annual income, in dollar terms, due to taxpayer out-migration over the past decade lack Right to Work laws.

"The sole exception is Louisiana, which was ravaged by Hurricane Katrina in 2005." (See the chart on page eight for more information.)

Mr. Mix added that, while states that fail to shield employees from federal pro-forced unionism policies are

harmed most of all, the country as a whole suffers severe damage:

"Union bosses funnel a huge chunk of the forced dues and fees they collect with federal labor law's abetment into politics.

"And the union-label politicians who routinely get elected and reelected because of Big Labor's forced dues-funded support overwhelmingly favor higher taxes and more red-tape regulation of businesses.

"This is true at the federal, state and local levels. Private-sector job growth in all 50 states, including Right to Work states, is hindered by the actions of Big Labor politicians."

Recorded Votes Help Pro-Right To Work Citizens Turn up the Heat on Big Labor Politicians

To end the abuse of independent-minded employees and the economic wreckage wrought by compulsory



CREDIT: FOXBUSINESS.COM

Mark Mix: Forced unionism is "an economic albatross for many states and for America as a whole."

unionism, the Committee is backing legislation (H.R.2040 and S.504) that would eliminate from federal labor law all provisions authorizing forced union dues and fees.


At this time, the Committee's immediate goal is a recorded floor vote on H.R.2040, the House version of forced-dues repeal.

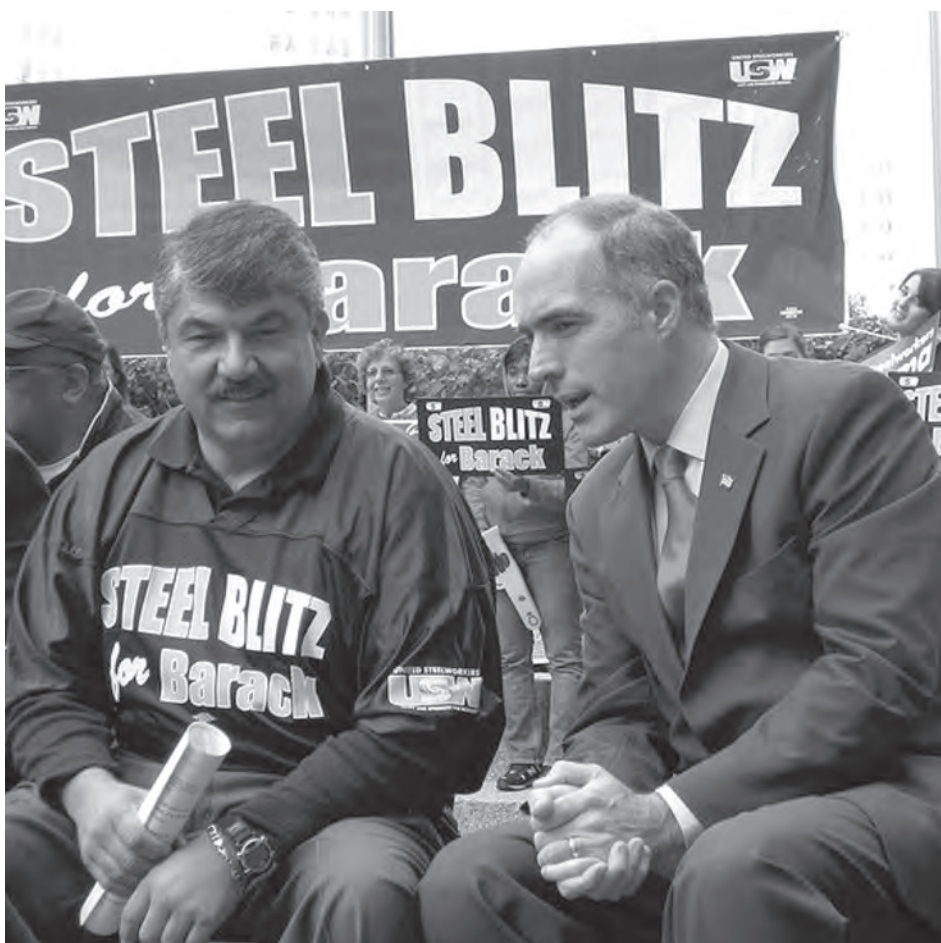
"Because the Committee and Sen. Jim DeMint [R-S.C.] successfully pressed for a floor roll call on forced-dues repeal in 2009, Big Labor senators seeking reelection this year like Pennsylvania Democrat Bob Casey are feeling the heat from their constituents now for voting against Right to Work," Mr. Mix explained.

"If Speaker John Boehner [R-Ohio] now keeps his 2010 campaign pledge to allow a House recorded floor vote on forced-dues repeal, pro-Right to Work citizens will know as well which House members support employees' personal freedom of choice, and which are Big Labor stooges.

"Poll after poll shows nearly 80% of Americans who regularly vote in federal elections support the Right to Work principle.

"A recorded House vote now, even if unsuccessful, will advance the Right to Work cause by letting millions and millions of grass-roots Right to Work supporters know whether or not their U.S. representative is on their side.

"That's why this winter the Committee is mobilizing members nationwide to contact Speaker Boehner and ask him to bring up H.R.2040 for a floor vote as soon as he reasonably can." 



CREDIT: MOLLY THEOBOLD FOR AFLCIO2008/WIKIMEDIA COMMONS

Because the U.S. Senate held a recorded floor vote on federal forced-dues repeal in 2009, it will be far easier

to hold Big Labor politicians like Sen. Bob Casey (right) accountable in this year's elections.

Taxpayers Fleeing Forced-Unionism States

National Right to Work Law Could Finally Stop the Hemorrhaging

Perhaps the single most effective tool for measuring the long-term, ongoing migration of taxpayers and income out of forced-unionism states and into Right to Work states is furnished by the Statistics of Income (SOI) division of the IRS.

And today any interested person can easily access SOI data through a data bank maintained on the web site of the Washington, D.C.-based Tax Foundation.

Forced-Unionism States Are Losing Massive Amounts of Income as Well as People

The SOI records the number of personal income tax filers who move (typically with their dependents, if they have any) across state lines, based on address changes shown on individual tax returns. The SOI data are arranged according to the year taxes are filed.

For example, data for the Tax Filing Year 2010 show that a total of 1.35

million personal income tax filers were residing that year in a Right to Work state after residing somewhere else in the U.S. the previous year.

Meanwhile, fewer than 1.23 million tax filers were residing in a Right to Work state in 2009, but filed from somewhere else in the U.S. in 2010.

That means a net total of 124,000 tax filers moved from a forced-unionism state to a Right to Work state between 2009 and 2010.

The SOI division also calculates and makes available to the public the aggregate adjusted gross incomes for tax filers in the year immediately following their move.

Personal income tax filers moving to a Right to Work state between 2009 and 2010 reported a total of nearly \$61 billion in income in 2010, or \$45,166 per filer.

Tax filers moving out of a Right to Work state over the same period reported a total of \$50.7 billion in income in 2010, or \$41,534 per filer.

Both because of their substantial taxpayer losses due to net domestic out-migration, and because the taxpayers they gained earned significantly less per capita than the taxpayers they lost, forced-dues states lost a total of nearly \$10.3 billion in adjusted gross income in a single year.

Forced-Unionism States' Income Losses Are Recurring and Compounding

While IRS data do not convey how much taxpayers who flee forced-unionism states earn any later than the first year after they depart, forced-unionism states' losses due to domestic out-migration are clearly recurring and compounding, year after year.

Over the last decade for which data are available (Tax Filing Years 2001 through 2010), a net total of more than 3.7 million tax filers and dependents moved from a forced-unionism state to a Right to Work state.

Throughout this period as a whole, the average income for a tax filer moving to a Right to Work state was roughly \$4200 higher (in 2010 dollars) than the average for a tax filer leaving a Right to Work state.

Counting just the income forfeited in the first year after each tax filer moved out, forced-unionism states lost a net total of nearly \$140 billion (in constant 2010 dollars) due to domestic out-migration over this 10-year period.

Power to Withhold Union Dues From Big Labor Absolutely Critical For Workers

The actual net loss over the decade, including income reported by taxpayers in all years subsequent to their migration, is very likely at least five times higher, but cannot be calculated with available data.

The 22 state Right to Work laws now on the books protect employees' freedom to refuse to pay dues or fees to an unwanted union. Wherever employees lack this freedom, union bosses have little incentive to tone down their class warfare in the workplace.

See 'Compulsory Unionism' page 7

Biggest Annual-Income Losers Due to Net Out-Migration of Taxpayers, 2000-2009

State	Income Lost	Taxpayers, Dependents Lost
New York	\$41.1 billion	1.14 million
California	\$29.9 billion	1.17 million
Illinois	\$17.5 billion	0.46 million
New Jersey	\$13.9 billion	0.33 million
Michigan	\$13.4 billion	0.43 million
Ohio	\$12.9 billion	0.28 million
Massachusetts	\$10.0 billion	0.27 million
Maryland	\$5.3 billion	0.07 million
Louisiana	\$4.0 billion	0.15 million
Connecticut	\$3.9 billion	0.08 million
Minnesota	\$3.3 billion	0.06 million
Pennsylvania	\$3.2 billion	4000
Indiana	\$3.0 billion	15,000

Aggregate adjusted gross incomes for all tax filing years are converted into 2010 dollars.

Forced-unionism states in **bold**.

Source: IRS Statistics of Income division, via the Tax Foundation

Year after year, far more taxpayers are moving into Right to Work states than are moving out of them. And forced-

unionism states are consequently losing enormous amounts of income (and tax revenue) as well as people.