

# Victory in Indiana: A 'Turning Point' in Right to Work History?

## Freedom-Loving Hoosiers' Persistence Pays Off *Years of Lobbying Efforts Make Indiana 23rd Right to Work State*

Even as Right to Work measures to repeal the provisions in federal labor law that authorize the firing of employees for refusal to pay dues or fees to unwanted union remain bottled up in congressional committees this year, compulsory unionism is clearly on the defensive in state after state.

The signal case in point is formerly Big Labor-controlled Indiana, where a just-enacted state Right to Work law is scheduled to take effect this month.

Of course, the share of employees protected by Right to Work laws has been steadily rising for decades. (The chart below depicts the trend since 1990. It actually goes back much further than that.)

But a number of labor policy observers of diverse stripes now believe the spread of Right to Work protections for independent-minded employees is poised to accelerate in the wake of the Indiana breakthrough.

Indiana is now the only Great Lakes state with a private-sector Right to Work law, and is the first new Right to Work state in more than five decades not to share a border with at least one other state that has such a statute.

Consequently, one might well expect the Hoosier ban on forced union dues to have an extraordinary impact.

### 'Where Indiana Goes, So Goes the Nation?'

Abby Rapoport, a staff writer for the pro-forced unionism *American Prospect*, fears the Right to Work victory in Indiana represents "a turning point in American labor history," and "not simply a loss in power" for the state's union officials.

An article by Ms. Rapoport published online the day Gov. Mitch Daniels signed the Right to Work Bill into law even bore the title, "Where Indiana Goes, So Goes the Nation."

Shikha Dalmia, a pro-Right to Work policy analyst for the Los Angeles-based Reason Foundation, discerns the same trend, though she is naturally happier about it.

"[I]f the record of other right-to-work states is any evidence," Ms. Dalmia wrote on January 26, prohibiting compulsory union dues "will give Indiana's economy a real competitive edge over other Midwestern states, forcing them to consider similar bills."

She elaborated: "For example, as I noted several months ago, there is a credible effort afoot to make Michigan a right-to-work state, something unthinkable even five years ago given the near-complete chokehold of unions on this state for over half a century."

"Pundits like Abby Rapoport and Shikha Dalmia are correct: The passage of Right to Work in Indiana will greatly

loosen Big Labor's grip over the elected officials of many other states," said National Right to Work Committee President Mark Mix.

"It is, to bowdlerize Vice President Joe Biden, a big deal."

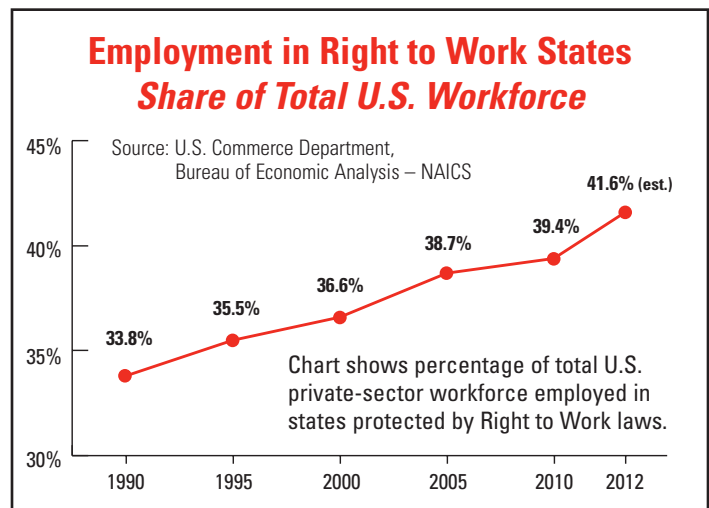
### Grass-Roots Group 'Mobilized an Ever-Loudening Drum Beat of Support For Employee Freedom'

"But this victory could never have occurred without many years of careful preparation," Mr. Mix continued.

"In 2003, Indiana citizens who were determined to free themselves and their fellow Hoosiers from the shackles of compulsory unionism launched what they knew from the start would be a sustained, and often difficult, effort to pass a Right to Work law.

"Subsequently, the grass-roots group they put into high gear, the Indiana Right to Work Committee, mobilized an ever-loudening drum beat of support for employee freedom and built up opposition to forced unionism in the state Legislature.

"The National Committee and its members assisted these efforts from the beginning, and I'm proud of that. But primary credit for the landmark Hoosier victory must go not to the National Committee, and certainly not to any politician, but to rank-and-file, freedom-loving Indiana citizens." 📌



Right to Work states' impact on the national economy has long been growing. Now there is actually a "credible effort afoot" to make even Michigan a Right to Work state.

# Right to Work: Rx For Job-Losing Indiana

## *History Indicates Right to Work Law Will Help Economy Rebound*

All across America, Right to Work states have long benefited from economic growth far superior to that of states in which employees are forced to join or pay dues or fees to a labor union just to keep their jobs.

For example, according to data reported by the U.S. Commerce Department's Bureau of Economic Analysis (BEA), from 1990 to 2010 total private-sector employment in states that had Right to Work laws soared by 45.5% -- an increase well over double that of forced-unionism states combined. (For simplicity's sake, Oklahoma, which adopted its Right to Work law in 2001, is counted as a Right to Work state for the entire period here.)

But over the past decade, the contrast between Right to Work states and forced-union-dues states has been especially stark in the Midwest.

Indiana, which technically remains a forced-unionism state until its Right to Work law takes effect soon after this special Newsletter edition goes to press, is clearly a case in point.

From 2000 to 2010, BEA data show Indiana suffered a net private-sector employment loss of 126,000, or 4.0%. Indiana's percentage loss was even worse than the 3.0% average for the seven forced-unionism states in the Midwest (Illinois, Michigan, Minnesota, Missouri, Ohio and Wisconsin, along with Indiana).

Meanwhile, despite the recent recession, the five Midwestern Right to Work states (Iowa, Kansas, Nebraska, North Dakota, and South Dakota) experienced an overall private-sector job increase of 4.7%.

Moreover, from 2000 to 2010, BEA-reported private-sector compensation (including wages, salaries, benefits and bonuses) rose by an inflation-adjusted 11.5% in Midwestern Right to Work

states, even as real compensation fell by 4.0% in Indiana alone and by 5.3% in Midwestern forced-unionism states combined.

### **'Right to Work Actually Contributes to More Employment [and] Higher Incomes'**

State Right to Work laws prohibit the firing of employees simply for exercising their right to refuse to join or bankroll an unwanted union.

Early this year, Indiana legislators approved and sent to GOP Gov. Mitch Daniels's desk H.B.1001, a measure prohibiting union officials from taking money from employees' paychecks as a condition of getting or keeping a job.

Indiana thus became America's 23rd Right to Work state.

"Over the past decade, more and more Indiana citizens came to recognize their state required fundamental reform in order to get its economy back on track," recalled National Right to Work Committee Vice President Matthew Leen.

"The fact is, compulsory unionism impedes private-sector job creation and compensation growth in every part of the business cycle. Concerned Hoosiers understood that the national recession's end wouldn't suffice to turn Indiana around.

"On the other hand, there is clear evidence that economically troubled states can greatly accelerate their job and wage and salary growth by passing Right to Work legislation.

Mr. Leen cited an analysis published just last month and coauthored by Dr. Eric Fruits, president of the Portland, Ore.-based Economics International Corp., and Dr. Randall Pozdena, president of the Manzanita, Ore.-based QuantEcon, Inc.

As Steve Buckstein, head of Oregon's Cascade Institute, the group that commissioned the Fruits-Pozdena analysis, has noted, the results "demonstrate more than just a correlation between right-to-work policy and economic growth, but point to a causal link."

Mr. Buckstein continued: "In other words, the research demonstrates that the right to work actually contributes to more employment, higher incomes, more net in-migration of taxpaying households, and faster economic growth."

### **Fundamental Purpose of Right to Work Laws: Protecting Personal Freedom of Choice**

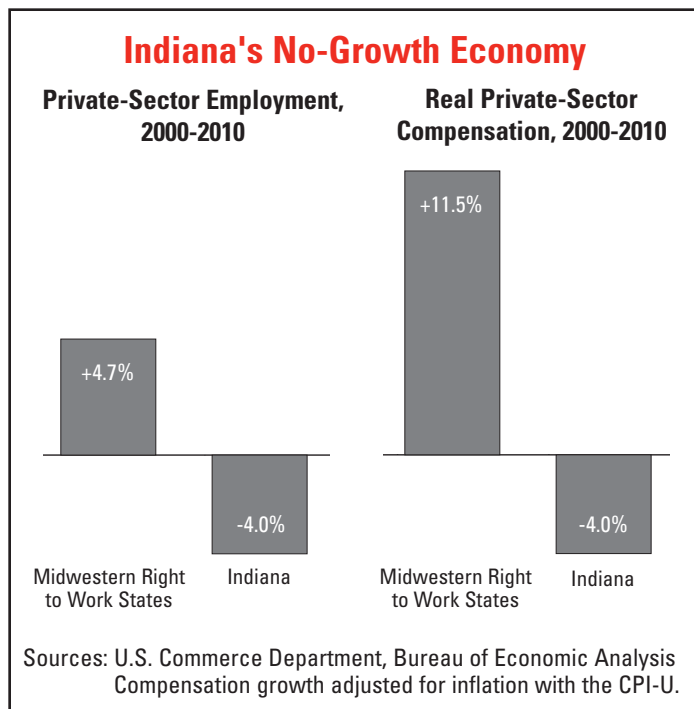
"Of course, Indiana Right to Work supporters were never motivated solely by a desire to make their state more economically successful," Mr. Leen cautioned. "The Right to Work is a matter of principle as well as economics.

"Right to Work laws' fundamental purpose is to protect the employee's personal freedom of choice.

"Gov. Daniels, Indiana state House Speaker Brian Bosma [Indianapolis], and a number of other prominent Hoosier politicians who joined the fight to make Indiana a Right to Work state relatively late in the game have tended to emphasize the economic rationale for banning forced union dues.

"But I very much doubt that the nearly decade-long grass-roots battle to make Indiana a Right to Work state would have succeeded had it not been driven primarily by moral concerns.

"As longtime grass-roots activist and Right to Work board member Morton Blackwell likes to say, "Moral outrage is the most powerful motivating force in politics." 📌



**For many years, Midwestern Right to Work states outperformed forced-unionism Indiana by a wide margin with regard to private-sector job and compensation growth.**

# More State Battles Ahead For Right to Work

## *Grass-Roots Citizens' Groups Bolstered by Recent Indiana Victory*

From the West Coast to New England, freedom-loving citizens who are inspired by Indiana's adoption of the nation's 23rd state Right to Work law last month are now lobbying legislative and executive candidates in their states to oppose compulsory unionism.

Following the successful road map laid out in Indiana, state and regional groups in Oregon, Montana, Colorado, Maine, New Mexico, Kentucky, Missouri, Michigan, Ohio, Minnesota, New Hampshire, and several other states will conduct Right to Work candidate survey programs this year.

The National Right to Work Committee will assist all of these efforts.

As part of the state Survey 2012, state groups will mail hundreds of thousands of information packets regarding state legislative and statewide candidates' positions and records on Right to Work to identified pro-Right to Work citizens.

Responding to the program, these citizens will phone and write their candidates to insist they publicly pledge to support Right to Work.

A similar survey program, carried out from the 2003-2004 through the 2009-2010 election cycles, ultimately established substantial pro-Right to Work majorities in both chambers of the Indiana General Assembly and paved the way for enactment of a statute banning forced union dues and fees early this year.

### **With Each Election Cycle, Hoosier Right to Work Forces Built Momentum**

As many National Committee members know, before a 54-44 majority in Indiana's House of Representatives finally stood up to Big Labor by voting to adopt a state Right to Work law this January, union lobbyists had thwarted efforts to pass forced-dues bans through the chamber in 2004, 2006, 2008 and 2010.

In February 2006, for example, 18 Big Labor-appealing Republican representatives joined with 47 union-label Democrats to crush a Right to Work amendment, 65-31. Freedom-loving Hoosiers were unbowed.

Over the next three state election cycles, pro-Right to Work Indiana citizens sent thousands upon thousands of postcards, letters, and e-mail messages to their legislative candidates urging them to oppose forced unionism. Right to Work activists also reinforced the point with phone calls and personal visits.

With the emergence of the Indianapolis-based Indiana Right to Work Committee as a major citizens lobby, many politicians who had once rode the fence decided to take a stand in favor of Right to Work. Other politicians who stubbornly continued to carry water for Big Labor went down to defeat.

Finally, in late 2011, GOP Gov. Mitch Daniels and GOP House Speaker Brian Bosma (Indianapolis), who had up to then opposed consideration of Right to Work measures in the General Assembly, heeded the persistent pleas of grass-roots activists and changed their position. After that, a Right to Work victory came swiftly.

"The course so carefully charted out by Indiana Right to Work supporters can now provide guidance for Right to



CREDIT: ADAM SWIFT / MANCHESTER UNION LEADER

**One of the top candidates to become the 24th Right to Work state is New Hampshire. State House Speaker William O'Brien (R-Mont Vernon) is a staunch foe of compulsory unionism.**

Work advocates in a host of other states," said National Committee Vice President Mary King.

"From Michigan to New Mexico, citizens have the opportunity to bring about fundamental change in the character of their state legislatures over the course of this election year, 2014, and 2016.


"And such change will ultimately lead to enactment of Right to Work legislation denying union officials the power to force workers to join or pay so-called 'agency' fees to a union, or be fired."

### **'There Is No "Royal Road" To Right to Work Passage'**

Ms. King cautioned that the experience of all states that have adopted Right to Work laws since the mid-1950's, not just Indiana, but also Kansas, Wyoming, Louisiana, Idaho and Oklahoma, is that it takes years of public education and mobilization to pass a ban on compulsory unionism.

"Euclid is said to have replied to King Ptolemy's request for an easier way of learning mathematics that 'there is no Royal Road to geometry,'" Ms. King recalled.

"Multiple attempts by well-intentioned citizens in state after state to deal with the scourge of forced union dues and fees over the course of a few months through a Right to Work ballot initiative have all proven futile. Just as there is 'no royal road to geometry,' there is no 'royal road' to Right to Work passage.

"The only effective way to counterbalance Big Labor's forced dues-funded clout is to get Right to Work supporters actively involved in lobbying their legislative candidates on this issue through state survey programs." 

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# Union Monopolists Already Vowing to Get Revenge

## *But Right to Work Supporters Are Ready to Parry Counterattacks*

Since the 2004 elections, Indiana voters have confounded Big Labor and its allies time and again by electing more and more avowedly pro-Right to Work candidates to the state House and Senate.

In one election year after another, try as they might, union political operatives and lobbyists were unable to counter effectively the efforts of the grass-roots Indiana Right to Work Committee and the National Right to Work Committee to mobilize more and more Hoosiers against compulsory unionism.

Consequently, Big Labor should hardly have been shocked in late January and early February when the Indiana General Assembly sent H.B.1001, legislation making Indiana America's 23rd Right to Work state, to Republican Gov. Mitch Daniels's desk, and Mr. Daniels signed this measure into law.

But until the Indiana House voted 54-44 to adopt H.B.1001 on January 25, union bosses and their militant followers clearly believed that, whatever they lacked in legislative numbers, they could make up for in zeal.

Now it infuriates union bigwigs that they turned out to be wrong. And they remain far from ready to accept the verdict of Indiana voters.

### **Before H.B.1001 Passage, Union Boss Warned: 'There's Going to Be Litigation on This Issue'**

In fact, even before the Indiana Senate had voted on H.B.1001, Todd Vandermyde, one of the top union operatives in the Midwest, was publicly boasting that Big Labor would go to court to nullify employees' Right to Work without being forced to fork over money to union officials in order to keep their jobs.

On January 30, as the Senate Labor and Pensions Committee was considering H.B.1001, Mr. Vandermyde, the political director of Local 150 of the International Union of Operating Engineers (IUOE/AFL-CIO), headquartered in Chicago, Ill., warned members of the panel that Big Labor would use the legal system to stop Right to Work:

"No doubt about it. There is going to be litigation on this issue."

This was no idle threat. After Oklahoma passed its Right to Work law in 2001, union lawyers kept it tied up in court for more than two years before the state Supreme Court finally ended their legal gambit in December 2003.

On February 22, the local 150 brass did indeed sue in federal court to undo what thousands of Hoosier citizens have worked hard for, over the course of nearly a decade.

National Committee President Mark Mix reassured Right to Work supporters that attorneys for the Committee's sister organization, the National Right to Work Legal Defense Foundation, had already examined the various union lines of attack and determined that the new forced-union-dues prohibition is on sound legal ground.

Mr. Mix, who is president of the Foundation as well as the Committee, also promised that Foundation attorneys would help defend the Indiana Right to Work law, just as they played a major role in the successful defense of Oklahoma's law.

Even as union lawyers seek to kill Indiana's fledgling Right to Work law in court, Big Labor will be pouring huge



CREDIT: MICHAEL P. KING/AP

**National AFL-CIO chief Richard Trumka: Indiana elected officials and other candidates who stood up to the union hierarchy should expect heavy campaigning against them in the upcoming elections.**

sums of forced-dues cash from its national political war chest into a campaign to punish the Hoosier elected officials who voted for the statute.

### **National AFL-CIO Czar: Pro-Right to Work Elected Officials 'Will Pay'**

In a January 31 interview with the Munster-based *Northwest Indiana Times*, national AFL-CIO czar Richard Trumka bluntly threatened Hoosier legislators who had voted for Right to Work and other legislative and executive candidates who had been publicly supportive of the measure.

Mr. Trumka warned elected officials and other candidates who had stood up to the union hierarchy that they "should expect heavy campaigning against them in the upcoming elections," according to *Times* reporter Bowdeya Tweh. The burly union boss continued: "They will pay a price at the polls."

Mr. Mix retorted: "Poll after poll has shown that the overwhelming majority of Indiana citizens support the Right to Work principle. Lavishly funded Big Labor propaganda campaigns conducted in recent years have failed to move those numbers.

"In 2012, the Indiana Right to Work Committee, with the National Committee's assistance, will continue and expand its program to let freedom-loving citizens know exactly which candidates oppose forced union dues and fees, and which are union lackeys.

"I hope and expect this program will very effectively counter the impact of the far more costly, compulsory dues-funded Big Labor efforts on behalf of pro-forced unionism candidates in Indiana.

"If Richard Trumka and his cohorts think Indiana Right to Work supporters are going to rest on their laurels this year, they have a surprise coming." 📌