NATIONAL RIGHT TO WORK NEWSLETTER

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Right to Work States Enjoy 'Growth Advantage'

Compulsory Unionism Negatively Correlated With Compensation Growth

Last month, the U.S. Commerce Department's Bureau of Economic Analysis (BEA) issued its estimates for 2011 state personal income. The BEA also issued estimates for an array of specific kinds of income, including employee compensation, at the state level.

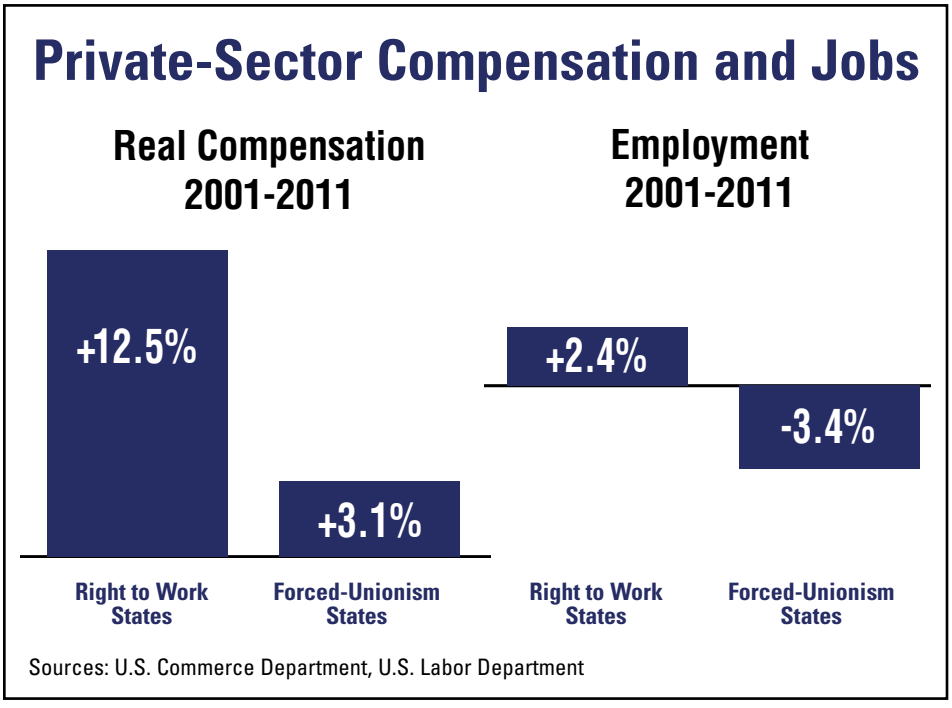
The 2011 BEA income data in general, and the compensation data especially, show once again that there is a strong negative correlation between compulsory unionism and economic growth.

Overall, private-sector employee compensation (including wages, salaries, benefits and bonuses) grew by 6.4% nationwide over the past decade, after adjusting for inflation. Historically speaking, this was slow growth.

However, states that protect employees from being fired for refusal to pay dues or fees to an unwanted union typically fared far better than the rest. (From 2001 to 2011, 22 states had Right to Work laws prohibiting forced union dues on the books. Last month Indiana became the 23rd Right to Work state.)

A review of how compensation and jobs grew (or failed to grow) in each state suggests the U.S. Congress could dramatically improve America's economic prospects for the next decade by repealing forced union dues and fees nationwide.

Current federal law authorizes and promotes the payment of compulsory union dues and fees as condition of getting or keeping a job.



By prohibiting compulsory union dues, state Right to Work laws spur the growth of private-sector employee compensation in the form of wages, salaries, benefits and bonuses, as well as employment growth.

Right to Work States' 2001-2011 Compensation Increase Nearly Double the National Average

Under pro-forced unionism provisions in the 1935 National Labor Relations Act (NLRA) and the 1951 amendments to the Railway Labor Act (RLA), more than six million private-sector employees must pay dues or fees to their Big Labor monopoly-bargaining agent, or face termination from their jobs.

At the same time, thanks to many years of vigilant efforts by freedom-loving Americans, federal labor law continues explicitly to recognize states' option to protect employees from forced union dues and fees by adopting Right to Work laws.

Fifteen of the 22 states with Right to Work laws at the time experienced 2001-2011 real private-sector compensation growth of more than nine percent, compared to the national average of 6.4%.

On the other hand, 14 of the 15 bottom-ranking states for compensation growth allow compulsory unionism.

Overall, inflation-adjusted private-sector compensation grew by 12.5% in Right to Work states over the past decade.

That's quadruple the average for forced-unionism states, and nearly double the national average.

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Federal and State Action Needed

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Federal data for long-term private-sector payroll job growth, furnished by the U.S. Labor Department's Bureau of Labor Statistics, reveal a similarly lopsided advantage for Right to Work states.

Right to Work States Also Enjoy a Big Edge in Private-Sector Job Gains

Nationwide, private-sector payroll jobs declined by 1.45 million, or 1.3%, from 2001 to 2011. In part, this dismal trend is a consequence of the weakest recovery from a national economic downturn since the Great Depression.

However, aggregate private payroll employment in Right to Work states has weathered the storm relatively well, and actually grew by 2.4%.

Meanwhile, private payrolls in forced-unionism states dropped by an average of 3.4%.

"The hard, objective statistics from the U.S. Commerce and Labor Departments help show why S.2173 and H.R.2040 are extraordinarily important pieces of legislation," commented Mark Mix, president of the National Right to Work Committee.

S.2173 was introduced last month by pro-Right to Work U.S. Sens. Jim DeMint (R-S.C.) and Rand Paul (R-Ky.). H.R.2040 is sponsored by Congressman Steve King (R-Iowa), a stalwart foe of compulsory unionism.

Federal Forced-Dues Repeal Would Help Reinvigorate National Economy

"S.2173 and H.R.2040, also known as the National Right to Work Act, would simply repeal the NLRA and RLA provisions that authorize compulsory union dues and fee payments as a condition of employment," Mr. Mix explained.

"When forced-dues repeal becomes law, private-sector employees in all 50 states will have the freedom to choose as individuals whether or not to join or pay dues to a union, without facing job loss as a consequence of their decision.

"Restoring the personal freedom of millions of American employees is the direct and primary purpose of S.2173 and H.R.2040. This legislation wouldn't add one word to federal law.

"At the same time, of all the economic reforms Congress may consider this year, DeMint-Rand-King would surely have the strongest positive impact for incomes and jobs.

"Leading labor economists such as Dr. Richard Vedder of Ohio University have furnished compelling evidence that forced unionism hinders income and employment growth.

"On top of that, 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 their 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.

"The actions of forced dues-funded politicians thus result in less job growth, period. And of course, Big Labor does the most damage in states where union bosses rake in the most forced-dues money.

"But if Congress repealed all the forced-dues provisions in the NLRA and RLA, this massive impediment to economic growth nationwide would quickly be lifted.

"Forced-dues repeal would spur job growth in all 50 states.

"Businesses based in current Right to Work states would share the benefits as their major out-of-state suppliers and customers were freed from the burden of compulsory unionism.

"The 2.6 million Committee members are now lobbying hard to build Capitol Hill support for the pending National Right to Work measures, which already have a total of 100 congressional sponsors."

Only State Right to Work Laws Can Protect State and Local Public Servants

But as momentous as enactment of a national Right to Work law would be, Mr. Mix cautioned, it would not stamp out the evils of forced union dues and fees nationwide.

"Today, a majority of the American employees under union monopoly control work for the government," Mr. Mix explained.

"S.2173 and H.R.2040 do not, and indeed cannot, protect teachers and other local and state public employees from compulsory unionism. To accomplish this critical objective, state legislation is necessary.

"For that reason as well as for several others, Committee members are currently fighting to pass Right to Work legislation in states like Missouri, Kentucky, New Hampshire, Maine, Ohio, Michigan and Montana.

"In this fall's elections, Right to Work will be a cutting issue in state legislative and gubernatorial races across the country, as well as in congressional campaigns and the contest for the White House."

CREDIT: FOX BUSINESS

National Right to Work Committee President Mark Mix: "[O]f all the economic reforms Congress may consider this year," S.2173/H.R.2040 "would surely have the strongest positive impact for incomes and jobs."

Right to Work Revving up Survey 2012

Pro-Forced Unionism Federal Candidates Will Have Nowhere to Hide

Federal and state disclosure reports filed by union officials and their agents show unambiguously that Big Labor controls the most massive political machine in America.

In fact, just one type of report, the LM-2 forms that private-sector (and some public-sector) unions with annual revenues exceeding $250,000 are required to file with the federal government, shows that Big Labor pours over a billion dollars into politics and lobbying in every federal campaign cycle.

For example, LM-2's for the years 2009 and 2010 show 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.

A recent National Institute for Labor Relations Research analysis of data from LM-2's and other federal and state reports conservatively concluded that the union machine spent a total of $1.4 billion on federal and state politics and lobbying in 2009 and 2010.

Candidate Survey Is 'One of the Committee's Most Effective Tools'

"Mostly forced-dues money from union treasuries pays for political phone banks, propaganda mailings, and the salaries and benefits for tens of thousands of campaign 'volunteers,'" explained Matthew Leen, vice president of the National Right to Work Committee.

"And AFL-CIO Political Director Mike Podhorzer recently boasted to the Los Angeles *Times* that the union political machine will be 'even more engaged in 2012' than it was in 2010 or 2008."

CREDIT: BILL CLARK/CQ ROLL CALL FILE PHOTO

Rep. Jean Schmidt (R-Ohio) disregarded her pro-Right to Work constituents. Then voters showed her the door.

To meet union bigwigs' challenge, the National Right to Work Committee has launched its federal candidate Survey 2012.

As longtime Committee members know, the federal candidate survey asks candidates to commit themselves to oppose forced unionism consistently and support national Right to Work legislation if elected.

The survey is "one of the Committee's most effective tools," observed Mr. Leen.

"Senate and House candidates are given several chances to return their surveys and answer 100% in favor of Right to Work. And millions of grassroots Right to Work supporters are mobilized to lobby candidates to respond to their Right to Work surveys."

Survey Already Targeting Critical Congressional Contests

This year, as always, the Committee survey is targeting potentially close primary as well as general-election contests in which there is a clear contrast among the candidates with regard to the Right to Work issue.

One recent primary in which thousands of pro-Right to Work citizens were mobilized was the March 6 contest in which southern Ohio GOP Congresswoman Jean Schmidt faced several challengers.

Last June, Ms. Schmidt was one of just a handful of House Republicans to vote in support of so-called "project labor agreements" that effectively force independent-minded construction employees to pay dues to an unwanted union in order to work on federal taxpayer-funded projects.

And in 2007, Ms. Schmidt voted for H.R.980, legislation that would have imposed a new federal mandate authorizing union monopoly bargaining in state and local public-safety departments nationwide, even in states whose elected officials have consistently refused to grant Big Labor such coercive powers.

"Early this year, Jean Schmidt's freedom-loving constituents repeatedly asked her to change course and stop appeasing Big Labor. But she ignored their pleas," Mr. Leen noted.

"Then, on primary day, challenger Brad Wenstrup, who had pledged across-the-board support for Right to Work if elected, defeated Ms. Schmidt, 49% to 43%, in what the venerable Capitol Hill newspaper *Roll Call* called a 'surprising upset.'

"The case of Jean Schmidt should stand as a warning: Regardless of their party affiliation, union-label politicians and Big Labor appeasers will have nowhere to hide this year. They can change their ways and start supporting Right to Work, or face the potential political consequences."

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Will Big Labor Get Its Revenge in Wisconsin?

Union Bosses Plot to Recover All of Their Forced-Dues Privileges

Early last year, Wisconsin Gov. Scott Walker (R) infuriated the union hierarchy, in his own state and nationwide, 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 government 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 and at legislators' residences.

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

But 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.

Ultimately, S.B.11 was sent to Gov. Walker's desk, and on March 11, 2011, he signed into law the measure now known as Act 10.

'[T]o Get Things Out of the Contract and Make Needed Changes Was Impossible'

Act 10, formally known as the Budget Repair Act of 2011, took effect last June after fending off a union boss-inspired legal challenge in state court.

Act 10 now protects most public employees from being fired for refusal to bankroll an unwanted union, but leaves untouched the forced-dues and monopoly-bargaining privileges of most public-safety and transportation union bosses.

"Despite its unfortunate exclusions, this law represents a step forward for public employees' free choice," said Committee Vice President Mary King. "And Act 10 has already reaped major benefits for taxpayers, public schools, and other local government agencies.

"Act 10 has enabled Wisconsin to eliminate, without increasing taxes, a state budget deficit that was projected in February 2011 to reach $3.6 billion over two years.

"At the same time, by rolling back government union bosses' monopoly-bargaining privileges, this reform has made it far less difficult for local elected officials to spend the resources they have prudently, so as to provide taxpayers good services at a reasonable cost."

For example, prior to Act 10, the Hartland-Lakeside School District in suburban Milwaukee was contractually bound to reimburse teachers for college classes they took, even if those classes were totally irrelevant to their jobs.

"[T]o get things out of the contract and make needed changes was impossible," recalled Hartland-Lakeside Superintendant Glenn Schilling in recent correspondence with the Michigan-based Education Action Group.

But Mr. Schilling reports things are very different now: "With Act 10, that is gone. We only pay for credits if it's a direct benefit to the district."

AFL-CIO Czar Determined To Punish Pro-Right to Work Elected Officials

Not surprisingly, union bigwigs are out for revenge against Mr. Walker and other elected officials who helped pass the Budget Repair Act.

As part of its ongoing campaign to obtain vengeance and ultimately repeal Act 10, Big Labor has repeatedly launched petition campaigns for "recall" elections of supporters of the measure. Last August the union machine succeeded in ousting two pro-Act 10 state senators from office.

This year, union bosses led by national AFL-CIO President Richard Trumka have targeted Mr. Walker, Lieutenant Gov. Rebecca Kleefisch (R), and four pro-Right to Work state senators for "recall" efforts. And one of the senators in Big Labor's gun sights has already resigned from office.

The "recall" elections, in which Mr. Walker, Ms. Kleefisch, and their Senate allies are likely to face pro-forced unionism challengers, are now scheduled for June 5.

"In an interview late last year with *Esquire* magazine, Richard Trumka actually likened Scott Walker to 'Lucifer.' The union bosses are clearly prepared to spend millions upon millions of forced-dues dollars to scuttle Act 10 and humiliate its supporters," said Ms. King.

"But the Committee and our members will fight back with all our might. As the 'recall' elections approach, we will contact hundreds of thousands of identified Right to Work supporters in Wisconsin to ensure they understand exactly what is at stake, and act accordingly on Election Day."

CREDIT: MICHAEL P. KING/AP

National AFL-CIO czar Richard Trumka (pictured) hates Wisconsin Gov. Scott Walker for signing a bill restoring the Right to Work of most public employees. Mr. Trumka has even likened the governor to "Lucifer."

Government Union Bosses Challenged in Arizona

But Big Labor-Appeasing GOP Legislators May Block Reform Measures

Arizona has had a Right to Work law on the books for over six decades. And it has no statewide statute handing union officials monopoly-bargaining privileges over state and local government employees.

Nevertheless, today many government union bosses in Arizona enjoy special privileges you might expect to find only in notorious Big Labor stronghold states like neighboring California.

For example, in Phoenix, as columnist George Will pointed out last month, taxpayers fork over $900,000 annually to pay for the compensation of police union officials as they "work exclusively performing undefined union business, including lobbying . . . ."

Mr. Will, citing the Phoenix-based Goldwater Institute, added that all six of the top officers of the union "derive full pay and benefits from the city, although each is assigned full time to the union -- and each is also entitled to 160 hours of annual extra-pay overtime."

Union-label Democrats hold only a third of the seats in the Arizona Legislature. But a number of self-styled "pro-business" Republicans have teamed up with them so far to protect government union chiefs' monopoly privileges.

So-Called 'Meet-and-Confer' Schemes: Monopoly Bargaining in Disguise

Moreover, officers of Phoenix's six other government unions "also have full-time [taxpayer-funded] city jobs." All told, "the annual bill for 73,000 hours of release time is $3.7 million."

How is it that government union bosses have been able to secure sweetheart deals with Phoenix and many other localities in Right to Work Arizona enabling them to conduct union business on taxpayers' dime?

A key reason why municipal governance in Arizona is increasingly geared towards advancing Big Labor objectives rather than the public interest is so-called "meet-and-confer." Since the 1970's, dozens of localities have adopted ordinances requiring what amounts to union monopoly bargaining in disguise.

In the Grand Canyon State, "meet-and-confer" empowers union bosses who purport to speak for all non-supervisory employees at a local government agency, including members and nonmembers alike, to engage in quasi-negotiations with agency managers.

"Effectively, government union bosses in Arizona have the power not only to 'represent' employees who want nothing to do with a union, but also to cut deals determining their pay, benefits, and work rules," said Mark Mix, president of the National Right to Work Committee.

"And experience shows that public-sector union monopoly bargaining in all its forms, including 'meet-and-confer,' is detrimental to the interests of taxpayers."

Arizona in Danger of Losing Its Competitive Edge

Early this year, pro-Right to Work Arizonans' hopes were raised when the state Senate's GOP leaders endorsed legislation (S.1485) that would prohibit "meet-and-confer" and all other forms of union monopoly bargaining in government agencies.

Since Republicans hold two-thirds of the seats in both the Senate and the House, many local political observers who underestimated well-heeled union lobbyists' bi-partisan arm-twisting ability expected until recently that S.1485 would become law this year.

However, within a few short weeks after it was introduced, a number of union boss-intimidated senators began pressuring Majority Leader Steve Pierce (Phoenix) and other senior Republicans not to allow a floor debate and vote on S.1485.

With the 2012 legislative session winding down as this month's Newsletter goes to press, it appears Mr. Pierce and his associates will acquiesce to this demand. It now seems the most the Legislature will do is modestly reduce the scope of government union bosses' monopoly-bargaining powers.

And even that is far from a sure thing.

"'Meet-and-confer' tramples the freedom of employees who want no union, and promotes wasteful public spending and higher taxes. Arizona's legislative leaders are right to want to abolish it," Mr. Mix commented.

"But they went about it the wrong way. Passage of measures like S.1485 requires first getting all legislators in both parties on the record, and then mobilizing thousands and thousands of grass-roots Right to Work supporters to turn up the pressure on politicians who vote 'No.'

"Such mobilization generally requires years of hard work. But it's the only proven method of beating the union bosses."

New Book Plugs One-Sided 'Right' to Unionize

Big Labor Academics Oppose Equal Protection For Right Not to Join

The National Labor Relations Act (NLRA), the principal federal law regulating employee-employer relations in America's private sector, purports to uphold the right to "form, join or assist labor organizations" and also "the right to refrain from" forming, joining or assisting such organizations.

But the NLRA fails utterly to give equal protection to workers who don't want a union.

For example, under the NLRA as interpreted by the courts, workers have only a nominal right not to join. As nonmembers, they don't have the right to refuse to pay dues or fees to a union, and still keep their jobs, whenever union officials can obtain "exclusive" bargaining privileges.

On the other hand, the NLRA fully protects the freedom of employees who want a union to join and pay dues; it doesn't matter at all if their employer and the majority of their fellow employees oppose unionization.

Pro-union employees cannot legally be fired or otherwise discriminated against for joining or financially supporting a union under any circumstances.

CREDIT: THE CENTURY FOUNDATION CREDIT: CARNEGIE MELLON UNIVERSITY

In a just-published book, Big Labor academic Richard Kahlenberg and union lawyer Moshe Marvit (inset) advocate full protection for the right to join a union, but only nominal protection for the right not to join.

'True Civil Rights Are Two-Way Streets'

Even though the NLRA obviously offers vastly greater protection for the right to join a union than it does for the right not to join, top union bosses and their academic allies recently launched a coordinated propaganda campaign blasting the law as insufficiently biased in Big Labor's favor.

In a just-published campaign manifesto, union-label "think tanker" Richard Kahlenberg and union lawyer Moshe Marvit propose adoption of a new federal labor law making discrimination against employees for union activities and membership legally equivalent to racial, ethnic or gender discrimination.

Their goal is to intimidate employers into passive submission to unionization of their employees by making them potentially subject to massive civil penalties if they resist.

In their eagerness to expand Organized Labor's power, Mr. Kahlenberg, Mr. Marvit, and the union officials who have already endorsed their book (entitled *Why Labor Organizing Should Be a Civil Right*) try to evade an obvious point, noted National Right to Work Committee Vice President Greg Mourad.

"True civil rights," Mr. Mourad pointed out, "are two-way streets.

"The First Amendment, for example protects both the 'right to speak freely' and the 'right to refrain from speaking at all,' as the U.S. Supreme Court explained nearly 70 years ago in *West Virginia State Board of Education v. Barnette*.

"If joining a union and unionizing your fellow employees are civil rights, then refusal to join a union or accept it as your 'exclusive' bargaining agent should receive equal protection under the law."

Mr. Kahlenberg and Mr. Marvit 'Should at Least Be Honest'

While the Kahlenberg-Marvit book had not yet been published as this month's Newsletter was being written, Mr. Kahlenberg supplied a National Right to Work Committee staffer with an excerpt that made it clear he and Mr. Marvit have no intention of revoking union officials' statutory forced-unionism privileges.

Specifically, in the labor-law overhaul they envision, Big Labor would retain the privilege to force individual employees who don't want a union to accept one as their "exclusive" bargaining agent. Union officials' power to exact forced fees from union nonmembers would also be perpetuated.

"The union bosses and their apologists effectively regard employees who don't want a union as second-class citizens," charged Mr. Mourad.

"Of course, they are less blunt about it nowadays than they were in the past.

"Back in 1948, a union legal brief to the U.S. Supreme Court simply asserted 'there is no constitutional right to work as a non-unionist,' but at the same time 'the right to maintain employment free from discrimination because of union membership is constitutionally protected.'

"The view that there is a civil right to join a union, but no equivalent right not to join a union was summarily rejected by a unanimous High Court in January 1949. Nevertheless, Richard Kahlenberg and Moshe Marvit are free to hold it if they wish. In that case, they should at least be honest about it."

Union Thugs Ought to Be Punished

Continued from page 8

CIO) militants stormed a new grain terminal at the Port of Longview.

Big Labor thugs broke down the gates, overwhelmed six security guards, and then converged on the terminal of EGT, a joint venture of U.S., Japanese, and South Korean companies that had been targeted by ILWU chiefs.

A week later, security guard Charlie Cadwell testified before U.S. District Judge Ronald Leighton that every ILWU "protester" he saw that morning was carrying a baseball bat, lead pipe, garden tool, or other weapon.

As the AP reported, Mr. Cadwell told the judge he was first pulled out of his car by one Big Labor zealot, then another swung a metal pipe at him.

"I told him," Mr. Cadwell continued, "you have 50 cameras on you, and law enforcement is on its way. He said '(Expletive) you. We're not here for you; we're here for the train.'"

Meanwhile, yet another union militant drove off with his car and eventually ran it into a ditch. Mr. Cadwell said "about 40 to 50 people were throwing rocks at him, and that he was hit between his eyes and in the knee," according to the AP account.

'This Was an Organized, Large-Scale Criminal Event'

With neither security guards nor police able to stop them, union toughs went on a rampage.

They cut the brake lines of many rail cars in the EGT terminal and dumped the grain contained in 72 of them. They also smashed windows and cut the air hoses to a grain train.

Altogether, roughly $150,000 in damage was done, according to EGT's estimate. Yet police were unable to make a single arrest at the scene.

"This was an organized, large-scale criminal event," Cowlitz County Sheriff Mark Nelson told Longview's *Daily News* September 9. "We're talking about sabotage. We're talking about riotous behavior."

Moreover, top union officials including ILWU International President Bob McEllrath publicly encouraged such activity in advance by participating, for example, in an illegal blockade of EGT grain terminal deliveries on September 7, 2011.

"There is substantial evidence already on the public record showing that Bob McEllrath and other ILWU bosses both incited and organized last year's Longview mayhem," said Mr. Mix.

"Yet, largely because of the Hobbs Act loophole, it is highly unlikely any members of the ILWU hierarchy will be prosecuted in connection with the rioting and sabotage.

"Indeed, this winter EGT executives effectively rewarded ILWU thuggery by backing away from their previous decision to man the Port of Longview terminal with non-ILWU labor. On February 16, the company meekly announced it would designate ILWU kingpins as employees' monopoly-bargaining agents.

"What is happening in Washington State is a black mark on the American justice system -- and it makes your blood boil."

President Obama, Harry Reid Expected to Oppose Reform 'Tooth and Nail'

Mr. Mix continued:

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

"That's what the Freedom from Union Violence Act would do. By closing the 'lethal loophole' punched into the Hobbs Act by *Enmons*, H.R.4074 would make it far less difficult to hold scofflaw union chieftains accountable for their misdeeds."

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 H.R.4074, tooth and nail.

"But Right to Work supporters can't afford to pass up this fight and let union militants continue getting away with threats, sabotage and assaults.

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

Big Labor Politicians Know Public Opinion Is Against Them on Union-Violence Issue

"This year, the Committee plans to contact millions and millions of Americans by e-mail, phone and mail and ask them to sign petitions in support of H.R.4074 and its Senate counterpart to their elected officials," Mr. Mix added.

"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 favor 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: U.S. SENATE

U.S. Senator Mike Lee (R-Utah, left) and Congressman Paul Broun (R-Ga.) have resolved to hold union officials who plan, commit or foment extortionate violence liable for prosecution under the Hobbs Act.

CREDIT: U.S. HOUSE

Will Congress End Union Thugs' Free Ride?

Freedom From Union Violence Act Would Close 'Lethal Loophole'

This month, pro-Right to Work U.S. Sen. Mike Lee (R-Utah) will introduce an important legal reform known as the Freedom from Union Violence Act.

This bill would hold union officials who plan, commit, or foment extortionate violence against a firm's employees or owners to the same standard as business rivals, gangsters, or anyone else who does the same.

Legislation Would Bar Use Of Violence as a Union 'Organizing Tool'

Parallel legislation was introduced in the U.S. House earlier this year as H.R.4074 by Congressman Paul Broun (R-Ga.). Like Mr. Lee, Mr. Broun is one of the most outspoken opponents of compulsory unionism in Congress today.

If H.R.4074 is enacted, power-hungry, win-at-any-cost Big Labor barons will no longer be able, without fear of federal prosecution, to resort to violence as a union "organizing" or "bargaining" tool.

Mark Mix, president of the National Right to Work Committee, vowed over the course of the next few months to mobilize hundreds of thousands of members and other citizens to contact their federal elected officials and express their strong support for this legislation.

It's 'Extraordinarily Difficult' to Prosecute Union Lawbreakers

Mr. Mix explained:

"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 workers 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.

"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.

CREDIT: DAWN DES BRISAY/LONGSHORE SHIPPING NEWS

International longshore union President Bob McEllrath has publicly encouraged lawlessness by his militant followers in Washington State. For example, last September 7 he participated in an illegal blockade of grain terminal deliveries.

What this means in practice can be illustrated by a violent clash occurring late last summer in Longview, Wash., a Columbia River port town, and its aftermath.

Criminal Actions Appear to Be Paying Off For Longshore Union Bosses and Militants

At 4:30 AM on September 8, 2011, hundreds of International Longshore and Warehouse Union (ILWU/AFL-

See **Union Thugs** *page 7*