NATIONAL
RIGHT TO WORK
NEWSLETTER

VOLUME 61, NUMBER 5 www.nrtwc.org May 2015

Obama NLRB Targets Right to Work Movement

Bureaucrats Scheme to Impose Compulsory Union Fees Nationwide

President Barack Obama's extremist National Labor Relations Board (NLRB) has flabbe gasted even some of its harshest critics by moving to overturn more than six decades of legal precedents regarding the workplace grievance privileges union bosses wield under federal law.

In unionized workplaces, a claim by any front-line employee that he or she has been harmed by a misapplication or misinterpretation of a company policy cannot be addressed in any way that is inconsistent with the contract between the company and Big Labor bosses wielding their monopoly-bargaining powers.

And federal courts and the NLRB alike have long recognized that union kingpins effectively own the process through which such grievances are handled.

For this reason, both the courts and the NLRB have up to now consistently barred Big Labor from charging union nonmembers just to get their grievances processed when union members can have their grievances processed for free.

CREDIT: LIZ LYNCH/NATIONAL JOURNAL

President Obama-appointed NLRB Chairman Mark Pearce and his cohorts are poised to overturn decades of legal precedents simply in order to help forced fee-hungry union bosses circumvent state Right to Work laws.

Zealots on the NLRB Poised To Make Monopoly-Bargaining Regime Even More Unjust

But on April 15, the Obama NLRB issued a "call for briefs" signaling its intention to reverse board and court decisions going back to 1953 in order to give union bosses an unprecedented tool to eviscerate protections for employee freedom of choice in states with Right to Work laws, now 25 in number.

If radical NLRB members carry out their plan, they will greatly exacerbate the harm caused by the federal labor-law provisions that force private-sector employees in all 50 states to accept union officials as their "exclusive" bargaining agents in contract negotiations and grievance procedures.

Mark Mix, president of the National Right to Work Committee, explained what's at stake:

"Under the National Labor Relations Act, employees who choose not to join a union can take money out of their own pockets to pay for a nonunion lawyer to argue their grievance -- then see the settlement junked by union officials because it doesn't conform to the monopoly contract!

"Now the Obama NLRB is poised to compound the injustice for employees in Right to Work states.

"Under the proposed rule now being floated by the NLRB, any union nonmember who lives in one of these 25 states and, realizing he or she has no real choice, follows union-created grievance procedures will be forced to pay so-called 'processing' fees to the union."

Employee's 'Power to Order His Own Relations With His Employer' Is 'Extinguished'

Mr. Mix continued:

"Potentially, Big Labor will be entitled to sue workers who refuse to

See **Under Attack** *page 2*

Right to Work Under Attack

Continued from page 1

pay for grievance 'services' that they are effectively forced to accept.

"Nearly 50 years ago, a U.S. Supreme Court majority opinion by Justice William Brennan bluntly acknowledged that America's national labor policy 'extinguishes the individual employee's power to order his own relations with his employer,' while 'clothing' union bosses with monopoly-bargaining power.

"And 40 years ago, a High Court majority opinion by Justice Thurgood Marshall resoundingly affirmed that a union controls all grievances under 'exclusive' union bargaining, notwithstanding any employee attempts to redress grievances as individuals.

"Such unambiguous precedents are the reason why, in the past, even the most pro-Big Labor courts and NLRB appointees have never dared to try to empower union bosses to collect forced fees for grievance processing in jurisdictions where state law prohibits compulsory financial support for unions.

"But the Obama NLRB is now signaling that it is ready to boldly go where no adjudicating body has gone before, simply to placate union bosses who are upset about the spread of Right to Work protections to three new states just since the beginning of 2012.

"The National Right to Work Committee and its sister organization, the National Right to Work Legal Defense Foundation, will not take this attack on the individual employee's freedom of choice lying down.

"We will do everything possible to sway Chairman Mark Pearce and the rest of the NLRB to back down. And if they proceed all the same with their forced-fee-for-grievances scheme, we will work tirelessly to block implementation of the new rule," concluded Mr. Mix, who heads the Foundation as well as the Committee.

Lawmakers Can Wield Their 'Power of the Purse String' To Rein in Rogue NLRB

Congress has the authority under the Constitution to stop rogue agencies like the NLRB from rewriting federal law by administrative fiat. In order to do so, lawmakers normally must wield their "power of the purse string."

This summer, as appropriations for Fiscal 2016 come up for panel votes in the U.S. House, pro-Right to Work congressmen will have the opportunity to attach a rider on the NLRB appropriation blocking implementation of any new rule authorizing forced union fees for union nonmembers.

Lawmakers who oppose compulsory unionism may also back a rider to stop the NLRB from continuing to implement the "ambush election" rules it put into effect in mid-April. One provision in this extraordinarily biased certification campaign overhaul mandates that employers hand over employee phone numbers, e-mail addresses, and work schedules to union organizers within two days after a unionization election is directed.

Right to Work Attorneys Already Fighting to Convince Radical NLRB to Back Down

Of course, as a diehard proponent of monopolistic unionism, President Obama is virtually certain to veto an NLRB appropriation containing riders blocking his extremist appointees from imposing forced fees for grievances in Right to Work states and halting "ambush elections."

Mr. Mix vowed to mobilize Committee members and supporters from across the country to contact self-avowed foes of forced unionism in Congress again and again and encourage them to make it plain to the President they will never back down and send him an NLRB appropriation without such riders.

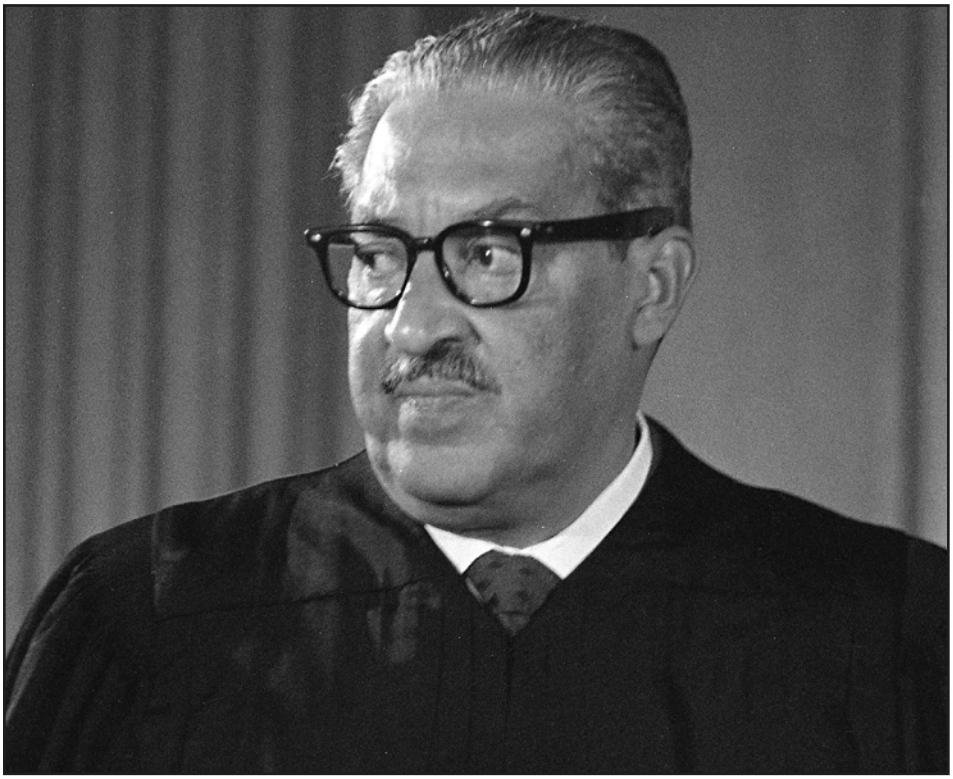
"Without a doubt, this is an uphill battle. But it is a winnable one," said Mr. Mix.

"And Right to Work supporters are not relying exclusively on their congressional allies to stop the NLRB in its tracks.

"Last month, Foundation attorneys asked the NLRB to accept a brief they had submitted on behalf of four employees from Right to Work states who believe they are harmed by being subject to union monopoly bargaining, never requested it, and do not wish to pay for it.

"The brief urges the NLRB not to abandon its own 39-year-old ruling in *Machinists Local 697* and a host of other decisions prohibiting the forced exaction of fees for grievances from union nonmembers in Right to Work states.

"And in case Mark Pearce and his cohorts ignore Foundation attorneys, their clients, and their allies, and press ahead with their proposed new forced-fee rule, Foundation attorneys are already preparing to do battle with the NLRB in court."



CREDIT ASSOCIATED PRESS

A 1975 U.S. Supreme Court opinion by Thurgood Marshall resoundingly affirmed a union controls all grievances under "exclusivity," notwithstanding any employee attempts to redress grievances as individuals.

Union Dons Furiously Defend Monopoly Bargaining

System Puts Workers 'Under Powerful Compulsion to Join' the Union

Last summer, the U.S. Supreme Court alarmed government union bosses across the country when it found, in *Harris v. Quinn*, that Big Labor Illinois politicians had violated the First Amendment.

The *Harris* case was argued and won by National Right to Work Legal Defense Foundation attorneys on behalf of a number of independent-minded home health care providers in the Prairie State.

Illinois elected officials had sought to compel and in some cases actually compelled these home personal care providers, who are neither public nor private employees, to join or pay fees to a private organization as a condition of their patients' participation in state Medicaid waiver programs.

The care providers were willing to wage a long legal battle to avoid being corralled into a union simply to make it possible for their disabled patients (typically relatives or personal friends) to receive Medicaid funds for care in the home instead of being institutionalized.

By ruling in their favor, the High Court set a precedent that is now protecting hundreds of thousands of home care providers across the country from being forced to pay union dues or fees.

Thanks to *Harris*, Forced Fees Are Off the Table For Home Caregivers

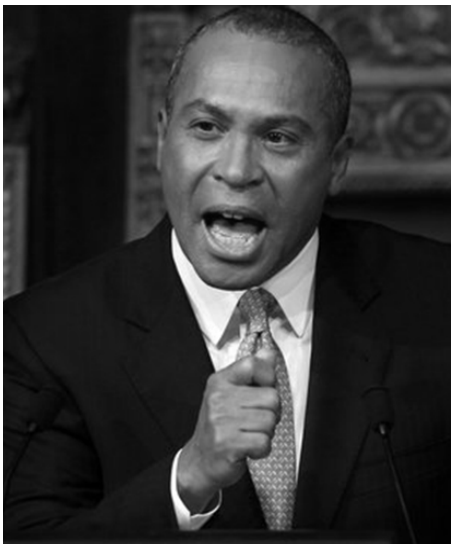
Among them are Massachusetts residents who furnish, in their homes, "family child care services on behalf of low-income and other at-risk children and receive payment from the Commonwealth for such services . . . ."

Under a state law signed in 2012 by then-Gov. Deval Patrick (D), such providers are defined as "state employees" for the limited purpose of enabling union officials to corral them into unions

Thanks to *Harris*, forced fees for home child care providers are off the table.

However, under the 2012 statute, known as Act 189, the officers of a single union may still acquire the power to force home child care providers to accept them as their mandatory "exclusive" (monopoly) representative.

Currently under Act 189, only officers of Local 509 of the Service Employees International Union (SEIU), and not providers acting independently, may deal with the Massachusetts Department of Early Education and Care (EEC) with regard to certain matters of public policy.



CREDIT: STEVEN SENNE/ASSOCIATED PRESS

Bay State SEIU bosses are determined to keep the monopoly privileges former Gov. Deval Patrick helped them obtain.

Big Labor bosses routinely claim that care providers who don't want a union, and haven't joined, as well as those who are union members, "benefit" from having a single union as their monopoly-bargaining agent.

But common sense indicates that being forced to accept representation you never asked for is not a "benefit."

And nine Massachusetts citizens who operate child care businesses in their homes believe so strongly that they are, in reality, harmed by union monopoly bargaining that they have gone to federal court in order to vindicate their First Amendment rights.

Union Bosses Suddenly Change Their Tune About 'Burdensome' Monopoly Privileges

Rather than fight this lawsuit, in which the independent-minded care providers are being represented by Foundation attorneys, one might expect that, based on the rhetoric the union hierarchy indulged in during the *Harris* case, SEIU Local 509 officials would let it go unchallenged.

While *Harris* was under way, union bosses and their lawyers insisted that it is "burdensome" and potentially financially ruinous for a union to exercise monopoly-bargaining privileges when care providers aren't forced to join or pay dues.

But the fact is, SEIU bosses are fighting furiously to retain their monopoly power.

They know full well, as AFL-CIO Associate General Counsel Thomas E. Harris admitted back in the early 1960's, that even in the absence of forced-dues privileges monopoly bargaining itself puts a citizen "under powerful compulsion to join the union, since that is the only way he can have a voice in determining the provisions of the collective agreement."

That means monopoly bargaining, with or without forced union dues, increases Big Labor wealth and power.

Plaintiffs Credibly Argue Government-Sector Monopoly Bargaining Is Unconstitutional

"The Right to Work Foundation-represented plaintiffs in the ongoing Massachusetts case, *D'Agostino v. Patrick*, have made a strong case that government-promoted union monopoly bargaining over home care providers is unconstitutional," said National Right to Work Committee Vice President Mary King.

"Unfortunately, in March a federal district judge in the Bay State found that forcing providers who don't want anything to do with the Service Employees union to band with Local 509 in their dealings with the government does not violate their First Amendment rights.

"The plaintiffs and their Foundation attorneys are now seeking to get the U.S. Court of Appeals for the First Circuit to take up the case.

"But regardless of how *D'Agostino v. Patrick* is ultimately resolved by the judiciary, it has already added to the ever-growing mountain of evidence that monopoly bargaining is no 'burden' for Big Labor.

"Rather, it is a privilege union bosses covet and will angrily defend whenever and wherever it is challenged."

Tax Load Lighter in Voluntary-Unionism States

Households in High-Cost Big Labor Strongholds 'Get Socked Twice'

In late March, the nonpartisan, Washington, D.C.-based Tax Foundation announced its estimate that "Tax Freedom Day" (TFD) this year would come on April 24.

The Tax Foundation's entire published analysis regarding TFD 2015 is available at www.taxfoundation.org -- the group's web site.

As the Tax Foundation explains, TFD is "the day when the nation as a whole has earned enough money to pay its total tax bill for the year."

In 2015, "Americans will pay $3.3 trillion in federal taxes and $1.5 trillion in state [and local] taxes, for a total tax bill of $4.8 trillion," or 31% of the nation's income.

Right to Work State Residents Achieved 'Tax Freedom' on April 17

Not surprisingly, this burden is not borne equally by all Americans, and several factors play a significant role in determining when TFD comes for individual taxpayers and households.

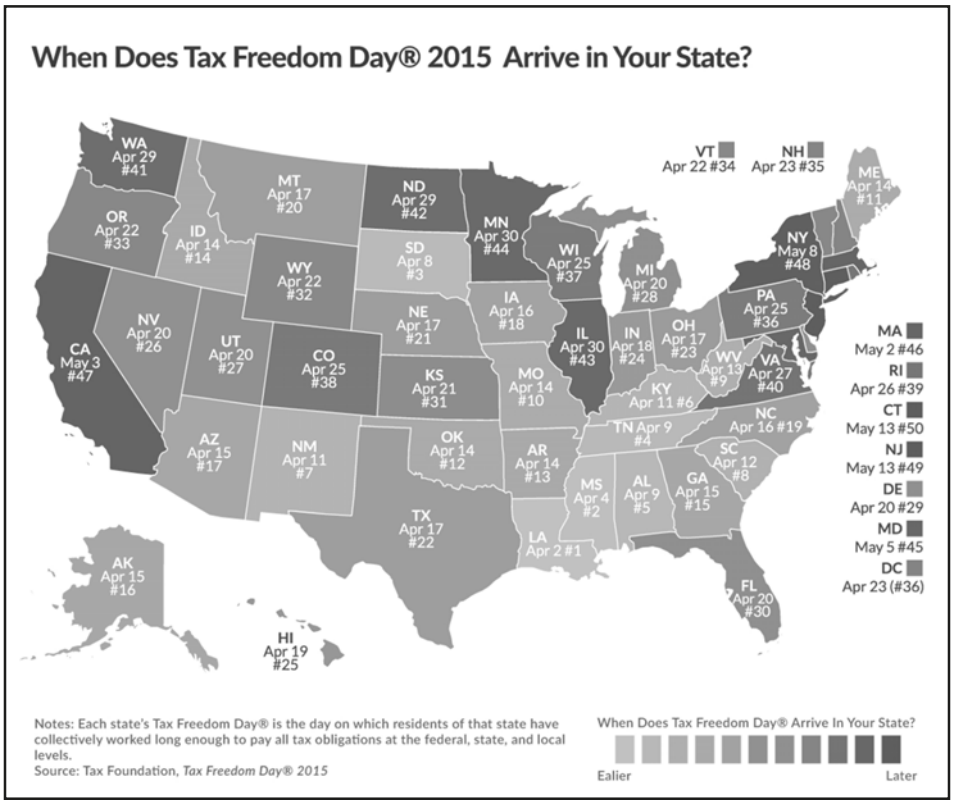
The Tax Foundation highlighted two:

"The total tax burden borne by residents of different states varies considerably due to differing state tax policies and because of the progressivity of the federal tax system."

Shortly after the Tax Foundation issued its report on TFD 2015, the National Institute for Labor Relations Research calculated average TFD's for the 25 Right to Work states and the 25 forced-unionism states.

To derive average TFD's for states where compulsory union dues are either permitted or banned, the Institute took aggregate state personal income data for 2014 as reported by the U.S. Commerce Department and the estimated 2015 TFD's for the 50 states as reported by the Tax Foundation.

The Institute estimates that this year residents of forced-unionism states are forking over 32.9% of their total personal income in taxes, a 5.1% higher share than the national average, and a 12.3% higher share than the Right to Work state average.



The average resident of a Right to Work state spends roughly two weeks less time each year laboring to pay off his or her total tax burden than does the average forced-unionism state resident.

TFD in forced-unionism states as a group didn't come until April 30 this year, or six days later than the national average. In contrast, TFD in Right to Work states as a group came on April 17, or seven days earlier than the national average.

Lower Living Costs Are Key Part of Right to Work States' Advantage

National Right to Work Committee Vice President Matthew Leen commented:

"TFD comes significantly earlier in Right to Work states than in forced-unionism states in part because state and local taxes typically consume a smaller share of income in jurisdictions where unionism is voluntary.

"Another advantage for Right to Work states is their lower living costs."

As the Institute reported in March, interstate cost-of-living indices calculated by the Missouri Economic Research and Information Center show that on average forced-unionism states were 22% more expensive to live in than Right to Work states in 2014.

When cost-of-living differences are taken into account, the average disposable income per capita in Right to Work states is higher than in forced-unionism states.

However, progressive federal income taxes are levied on nominal, rather than cost of living-adjusted incomes.

Consequently, explained Mr. Leen, households in high-cost forced-unionism states like California, New York, New Jersey, Connecticut and Massachusetts "get socked twice."

"They have to fork over more for housing, food, energy, health care, and other necessities," Mr. Leen noted.

"And then they have to pay the same income tax rate as a household in a low-cost Right to Work state like Texas or North Carolina making the same nominal income, even though that nominal income goes much further in the Right to Work states."

The TFD disparity, concluded Mr. Leen, is a prime example of how the forced-unionism system hurts practically everyone, and not just employees and business owners who are directly affected.

Victory For West Virginia Hardhats, Taxpayers

Citizens Push Back Against Abusive 'PLAs' in State After State

Back in February 2009, one of the first actions President Barack Obama took after settling in at the White House was to issue Executive Order 13502, which promotes union-only "project labor agreements" (PLAs) on federally funded public works.

"E.O.13502 now pressures federal agencies to acquiesce to PLAs on all large public works," noted Greg Mourad, vice president of the National Right to Work Committee.

"In practice, it is designed to force nonunion companies wishing to participate in public works using $25 million or more in federal funds to impose union monopoly bargaining on their employees and hire new workers through discriminatory union hiring halls.

"Under union-only PLAs, independent workers who already have their own retirement funds are nevertheless forced to contribute to Big Labor-manipulated pension funds.

"Rather than compromise the freedom of their employees and the efficiency of their operations, most independent construction firms simply refuse to submit bids on PLA projects."

Grassroots Activists Push Back Against Abusive PLAs In the Mountain State

Fortunately, over the past six years taxpayers and other freedom-loving citizens have mounted a strong counterattack against the E.O.13502 power grab.

As of February 2009, just four states had prohibited union-only PLAs for any kind of taxpayer-funded construction projects.

But in late March, West Virginia became the 22nd state to ban government-mandated PLAs on public works.

The Mountain State measure prohibiting union-only PLAs (S.B.409) was signed into law by Democrat Gov. Earl Ray Tomblin. Mr. Tomblin is the first governor of his party affiliation to sign legislation or issue an executive order prohibiting PLA mandates on public-works projects.

Along with other citizens' groups, the National Right to Work Committee successfully lobbied for adoption of the PLA ban in West Virginia.

Mr. Mourad said several important factors are behind the backlash against E.O.13502:

"Since just 15% of construction workers nationwide are unionized, PLAs sharply reduce the number of potential bidders for public works and, inevitably, also jack up taxpayer costs.

"The nonpartisan, Boston-based Beacon Hill Institute has estimated that construction costs will be inflated by 12% to 18% on every federal project that uses a PLA as a result of the Obama edict."

Is John Kasich as Willing To Stand up to Big Labor As Earl Ray Tomblin?

The Committee and its allies are now pushing for additional PLA bans in states such as Wisconsin, Pennsylvania, Kentucky and Ohio.

"An especially telling example of why such laws are desperately needed occurred in the Buckeye State a few years ago, when the Ohio School Facilities Commission solicited bids to build new dormitories at the state schools for the blind and deaf in Columbus," said Mr. Mourad.

"When contractors were originally invited to submit bids for the school construction in July 2010, they were required to acquiesce to a PLA. Even the lowest bid came in millions of dollars over budget.

"Just a few months later, the Commission dropped the PLA mandate and solicited new bids. Six times as many firms bid on dormitory construction, and the apparent winner came in roughly 20% under the previous low bidder."

In order to protect taxpayers as well as union-free hardhats and companies in the future, on April 22 the Ohio House of Representatives adopted an FY 2016-2017 budget (H.B.64) that includes a provision barring mandatory PLAs on taxpayer-funded construction.

Unfortunately, as this Newsletter edition goes to press it is unclear whether Ohio chief executive John Kasich (R) will support this modest, but significant rollback of Big Labor's special privileges, or lobby behind the scenes to kill it in the state Senate before it reaches his desk.

"Over the past couple of years, Mr. Kasich has sadly emerged as one of the most prominent Big Labor appeasers in his party," noted Mr. Mourad. "An August 2013 Wall Street *Journal* front-page story actually reported that he had 'promised' union officials that he would 'oppose efforts to turn Ohio into a "Right to Work" state.'

"But the adoption of H.B.64 by the Ohio House gives Mr. Kasich a chance to turn over a new leaf. By publicly prodding the Senate to retain this bill's crackdown on PLAs and by signing it into law, he can demonstrate he's at least as willing as West Virginia's Democrat governor to stand up to Big Labor."

CREDIT: CHRIS MADDALONI/GETTY IMAGES

Now that the Ohio House has adopted an FY 2016-2017 budget including a ban on government-mandated "project labor agreements" for public works, will Gov. John Kasich stand up for taxpayers by backing this provision?

Union Powerbrokers Awash in Forced-Dues Cash

Big Labor Poured $1.7 Billion Into Politics/Lobbying in 2013-2014

Drawing on a variety of published sources, the National Institute for Labor Relations Research has recently estimated that Big Labor spent roughly $1.7 billion on politics and lobbying in 2013 and 2014.

An Institute fact sheet published on April 8 relies almost entirely on reporting forms filed by union officials themselves with federal and state government agencies.

Poor-mouthing union officials and supposedly "nonpartisan" monitors of political spending like the Center for Responsive Politics (CRP) continue even today to foster the totally false impression that Big Labor PAC and Section 527 expenditures represent all the electioneering unions do.

But the 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, along with other publicly available resources, show they actually control by far the most massive political machine in America.

Forced Dues-Stocked Union Treasuries Finance Get-Out-the-Vote Activities

In 2003, then-President George W. Bush's Labor Department revised LM-2 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 their conscripted money is 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, union officials have been required to report each year how much they spend on two major non-bargaining activities -- electioneering and lobbying.

The Institute review of all LM-2 forms filed for 2013 and 2014 shows that unions filing such forms spent a total of $1.01 billion in union treasury money on "political activities and lobbying" over those two years alone.

Such forced dues-fueled spending pays for phone banks, get-out-the-vote drives, propaganda mailings, and other so-called "in-kind" support for union boss-favored candidates.

CREDIT: C-SPAN

Committee President Mark Mix: Right to Work laws prohibiting forced union membership, dues, and fees currently protect employees in 25 states from being compelled to bankroll Big Labor's favored candidates.

Many Deeply Political Unions Don't Have to File LM-2's

Big Labor political and lobbying expenditures reported on LM-2 forms are the single largest component of the union electioneering machine. But there is plenty LM-2's don't cover.

"Government unions that have no private-sector members, including many affiliates of the National Education Association teacher union and other deeply political state and local unions, don't have to file LM-2's," noted Mark Mix, president of both the Foundation and the National Right to Work Committee.

"The Institute analysis added up political spending by such government unions appearing in state campaign finance reports and came up with 2013-2014 expenditures totaling $564 million.

"Union PAC and '527 group' political expenditures not reported elsewhere add another $92 million to the 2013-2014 war chest."

Congress Obliged to Act

"Unlike business and other interest-group political spending, Big Labor's 'in-kind' expenditures on politics are financed primarily by forced-dues and forced-fee money, often paid by workers who aren't union members and personally oppose the union-boss agenda," Mr. Mix continued.

"Fortunately, Right to Work laws prohibiting forced union membership, dues, and fees currently protect employees in 25 states from being forced to bankroll Big Labor's favored candidates and causes.

"But it remains Congress's obligation to crack down on the outrage of forced-dues politicking and protect private-sector employees across the country. It can do so by passing a national Right to Work law that repeals the handful of provisions in federal labor law under which millions of employees are still being forced to bankroll unions."

Right to Work's Momentous 1965-66 Victory

Scheme to Nationalize Forced Dues Was Derailed Half-a-Century Ago

Over the next few months, the National Right to Work Committee will be commemorating a major political battle that began in the spring of 1965. Had this battle turned out the wrong way, protections against compulsory unionism for employees nationwide would have been gutted.

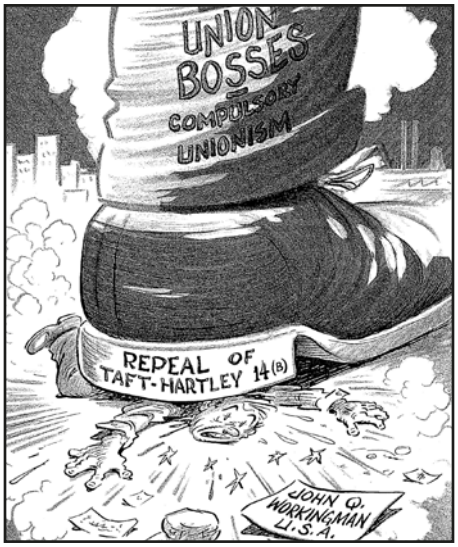
Fifty years ago this month, union-label Congressman Frank Thompson (D-N.J.), chairman of the monolithically pro-union coercion U.S. House Sub-Committee on Labor, launched two weeks' worth of hearings on H.R.77, legislation that would "repeal Section 14(b) of the Taft-Hartley Act."

Since Section 14(b) is the sole provision in any federal statute that explicitly authorizes states and territories to prohibit forced union membership, adoption of H.R.77 would have destroyed Right to Work protections for employees nationwide.

'Good Unions Don't Need Compulsory Unionism,' 'Bad Unions Don't Deserve It'

A nationwide scientific poll of the U.S. adult population, taken by the Opinion Research Corporation of Princeton, N.J., had recently shown that the American people favored retention of Section 14(b) by better than a two-to-one margin.

But National Right to Work Committee members, who were spearheading the campaign to save Section 14(b), knew from the start that persuading a majority of congressmen to vote in accord with the wishes of their constituents wouldn't be easy.



CREDIT: JACK KNOX FOR THE NRTWC

Public opinion strongly opposed 14(b) repeal. But would politicians care? In mid-1965, no one could be sure.

As part of the Committee's campaign to mobilize such intense opposition to the Big Labor power grab that Capitol Hill politicians would have to pay heed, pro-Right to Work union members from around the country joined Committee leaders in appearing before the Thompson panel on June 1, 1965.

The testimony of then-Committee President S.D. Cadwallader, himself a union member for more than 23 years, included a splendid 25-word explanation of why Section 14(b) should remain on the federal books:

"The record has shown that good unions don't need compulsory unionism. I'm sure you gentlemen will agree with me that bad unions don't deserve it."

'The Real Issue -- and The Only Issue . . . Is Individual Freedom'

Reed Larson, then the Committee's executive vice president and later its president, bluntly told pro-union monopoly politicians:

"The real issue -- and the only issue -- involved in the repeal of 14(b) is individual freedom; the question of whether any . . . citizen should be under compulsion to have his earnings taken from him and spent by a private organization, a union, in ways that are not to his liking. That this is being done under compulsory unionism is a matter of record."

For more than seven weeks after Mr. Thompson abruptly cut off his hearings on June 8, sacks of letters from constituents who had been contacted by the Committee and urged to support 14(b) kept piling up in House offices. Newspapers across the country overwhelmingly opposed H.R.77.

When the bill came up for a floor vote on July 28, quite a few House members had yet to declare which way they would go, and the outcome was still, as writer George Leef explained in *Free Choice for Workers*, his 2005 history of the Right to Work movement, "very much in doubt."

In the end, a furious arm-twisting campaign led by then-AFL-CIO President George Meany and his top lobbyist, Andrew Biemiller, prevailed upon 18 Democratic House members to vote to eviscerate the Right to Work laws enacted by their own states.

Their votes carried the day, as 14(b) repeal was approved by the House in a close 221-203 roll call.

Pro-Right to Work Americans were disappointed. But Mr. Cadwallader, Mr. Larson, other Right to Work officers, and rank-and-file members and supporters were already girding their loins to defeat Big Labor's army of lobbyists in the Senate.

NEXT MONTH: Extended Senate Debate Saves State Right to Work Laws

NATIONAL RIGHT TO WORK NEWSLETTER

www.nrtwc.org **May 2015**

Written and Distributed by:

National Right to Work Committee®
8001 Braddock Road
Springfield, Va. 22160
E-mail: Members@NRTW.org

Stanley Greer Newsletter Editor
Greg Mourad Vice President
Mary King Vice President
Matthew Leen Vice President
Stephen Goodrick Vice President and CFO
Mark Mix President
Editorial comments only: stg@nrtw.org

Contact the Membership Department by phoning 1-800-325-RTWC (7892) or (703) 321-9820, or faxing (703) 321-7143, if you wish to:

- **Report address changes or corrections**
- **Receive the NEWSLETTER or request, renew, or cancel Committee membership**
- **Obtain more information**

Because of NRTWC's tax-exempt status under IRC Sec. 501 (C)(4) and its state and federal legislative activities, contributions are not tax deductible as charitable contributions (IRC § 170) or as business deductions (IRC § 162(e)(1)).

Michigan #1, Indiana #2 in Factory Job Growth

Recently-Enacted Right to Work Laws Help Revive State Economies

According to U.S. Labor Department data released this spring, Michigan and Indiana, which had both adopted Right to Work laws in 2012, led the nation in manufacturing job growth in 2014.

Michigan gained a net of nearly 20,000 factory jobs last year, an absolute increase greater than any other state's. And Indiana's rise of over 15,000 was the second highest in the nation.

Overall, the 24 states with Right to Work laws on the books as of the end of last year picked up a total of 105,000 jobs in the manufacturing sector in 2014. That's well over double the aggregate absolute increase for forced-unionism states.

When viewed in percentage terms, seven of the nine top-ranking states for manufacturing job gains last year had Right to Work laws on the books, but not one state in the bottom 11 protects employees from compulsory unionism.

CREDIT: JUST GOODNEWS.BIZ

CREDIT INSET TO: LINKEDIN.COM

In announcing his firm's plans to add 35 workers to its payrolls in Valparaiso last month, Union Electric Steel Executive Vice President Rodney Scagline (inset) specifically credited Indiana's Right to Work law.

Steel Executive: Law 'Has Enhanced Our Ability' to Meet Customers' Needs

It's not surprising that the Right to Work laws adopted by Michigan in December 2012, and by Indiana in February 2012, would help put those states at the top of the pack in factory job creation. Long-term federal data show manufacturing output is growing far more rapidly in states where unionism is voluntary.

From 2003 to 2013, for example, according to the U.S. Commerce Department, the 22 states with Right to Work protections for the entire decade experienced total real manufacturing output growth of 26.1%, nearly double the increase for the 26 states that lacked Right to Work laws for the whole time.

And a growing number of business owners and managers are willing to brave union militants' fury and acknowledge in public what many have long said in private: Right to Work laws are often a make-or-break factor for determining where a job-creating investment is going to be made.

For example, in April Rodney Scagline, executive vice president of Carnegie, Pa.-based Union Electric Steel, included Indiana's Right to Work law on a very short list of reasons why his firm is now planning to add roughly 35 jobs at its Valparaiso plant.

"Operating in a low-tax, right-to-work state like Indiana," explained Mr. Scagline, "has enhanced our ability to deliver what we need to our customers, and we look forward to our continued success here in Valparaiso."

Right to Work Advantage Not Limited to Factory Sector

National Right to Work Committee President Mark Mix noted that voluntary unionism's economic benefits aren't limited to the factory sector. "Over time," he said, "Labor Department data show Right to Work states typically benefit from far more rapid growth in aggregate private-sector employment."

From 2004 to 2014, the total private payroll job increase for Right to Work states (excluding Michigan and Indiana) was 9.9%, roughly double the overall increase for forced-unionism states over the same period, according to the Labor Department's Bureau of Labor Statistics.

Of course, Right to Work isn't primarily an economic issue.

"What's most important of all," explained Mr. Mix, "is that in Right to Work states, unlike in forced-unionism states, the freedom of individual employees to join and bankroll a union and their freedom to refuse to do either enjoy equal protection under the law.

"In forced-unionism states, unfortunately, even employees who choose not to join a union may be compelled to pay union fees, potentially as high as full union dues, in order to avoid being fired."

Fortunately, early this year Congressman Steve King (R-Iowa) and Sen. Rand Paul (R-Ky.) respectively introduced H.R.612 and S.391, national Right to Work measures that would end this manifest injustice.

H.R.612 and S.391, otherwise known as the National Right to Work Act, would simply repeal the provisions in federal labor law that authorize compulsory union dues and fee payments as a condition of employment.

"When forced-dues repeal becomes law," said Mr. Mix, "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."

Mr. Mix vowed that the 2.8 million Committee members across the country would continue lobbying hard to build Capitol Hill support for the pending Right to Work measures, which have a total of 113 congressional sponsors as this Newsletter edition goes to press.