NATIONAL RIGHT TO WORK NEWSLETTER

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'Keep Your Pro-Right to Work Campaign Promises'

Federal Politicians Hear From Their Freedom-Loving Constituents

Opponents of forced unionism are understandably looking forward to the end of the radically anti-Right to Work Obama Administration just a few months from now.

At the same time, National Right to Work Committee members can look back with pride and a real sense of accomplishment over the progress made and the bad policies that were defeated over the past seven-and-a-half years.

CREDIT TO: ED HOLLAND/CHICAGO TRIBUNE

Despite recent Right to Work gains, most private-sector American employees remain subject to labor laws authorizing forced union dues and fees. Survey 2016 aims to hasten the day when no worker may be corralled into a union.

Since 2009, Right to Work States' U.S. Population Share Has Risen From 40% to 49%

In January 2009, when President Obama took up residence in the White House, 22 states had Right to Work laws on the books prohibiting the termination of employees for refusal to join or pay dues or fees to an unwanted union. And 40% of Americans lived in Right to Work states.

As Mr. Obama's second presidential term draws to a close, 26 states -- including Midwestern and manufacturing-dense Indiana, Michigan and Wisconsin -- are Right to Work. And nearly 49% of Americans reside in such states.

"The addition of four new Right to Work laws over the past four years is unparalleled since the 1950's, and the 2.8 million Committee members and supporters have been key to the movement's success," said Committee President Mark Mix.

Right to Work Backers Can't Afford Complacency

"During the Obama years," he continued, "Committee activists also contributed to the defeat in Congress of 'card check' forced-unionism legislation and ultimately prevailed in a difficult and often lonely battle against the federalization of union monopoly-bargaining over state and local public-safety workers.

"But we can't let our happiness

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Politicians Urged to Keep Promises

Continued from page 1

about our recent offensive and defensive victories make us complacent."

To ensure that the 26 Right to Work states will be able to continue protecting employees from forced union membership, dues and fees, and additional states will be able to offer the same protections to employees in the near future, the Committee is now conducting its federal Survey 2016 program.

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

Moreover, current members of Congress are asked to demonstrate they mean what they say on their Right to Work surveys by cosponsoring H.R.612 or S.391. These are simple, one-page measures that are now before the House and Senate.

Constituents of Reps. Knight, Russell and Zinke Are Strongly Pro-Right to Work

Mr. Mix observed: "The vast majority of the incumbent House members who pledged in response to the Committee's Survey 2014 to cosponsor national Right to Work legislation have now signed on to H.R.612.

"But a relative handful of congressmen who answered their surveys 100% in support of Right to Work, such as Reps. Steve Knight [R-Calif.], Steve Russell [R-Okla.], and Ryan Zinke [R-Mont.], have yet to follow through by cosponsoring forced-dues repeal."

This summer, the Committee will be mobilizing members and supporters in a number of targeted congressional districts and states to convince fence-sitting politicians to cosponsor H.R.612 or its Senate companion measure, S.391.

Later this year, the Committee mobilization will be geared primarily at persuading Big Labor politicians to change course and stop supporting compulsory unionism.

Throughout the course of Survey 2016, candidates will be given several chances to return their surveys and answer 100% in favor of American employees' Right to Work.

This year, as in previous federal election years, millions of grass-roots Right to Work supporters are being enlisted to lobby candidates to respond to their member surveys.

"Steve Knight, Steve Russell, Ryan Zinke, and other U.S. representatives who are currently being targeted through the Survey program hail from some of the most strongly pro-Right to Work jurisdictions in America," noted Mr. Mix.

"There's no sensible reason why congressmen whose constituencies are overwhelmingly and passionately opposed to monopolistic unionism should hesitate to cosponsor H.R.612."

Ideal Is For All Candidates To Oppose Forced Unionism

All major-party candidates as well as key significant third-party and independent candidates in every House and Senate race are asked to participate in the Right to Work survey program.

And pro-Right to Work citizens in every House district and every state where there's a Senate race are contacted and requested to help turn up the pressure on their candidates to respond to their surveys.

"Of course," said Mr. Mix, "the Committee reserves the vast majority of its survey resources and mobilizes far more freedom-loving activists for House and Senate races that are at least potentially close and in which at least one candidate has taken a strong stand in favor of Right to Work.

"The ideal for Right to Work leaders and members alike is for all the general-election candidates in a race to vow to oppose forced unionism."

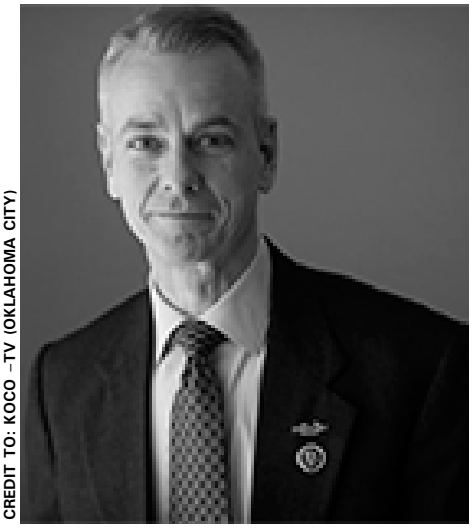
This Fall, Committee Will Let Citizens Know Where Their Candidates Stand

But at the very least Right to Work members and supporters want one candidate in each race this November to be a credible opponent of Big Labor's monopoly privileges.

"In cases where only one of the two principal general-election candidates stands up for the Right to Work," said Mr. Mix, "the Committee's job will be to let freedom-loving people know about the contrasting positions of their candidates on the Right to Work issue.

"I'm confident that, if there is a choice between a strongly pro-Right to Work candidate and a forced-unionism candidate, the pro-Right to Work candidate is in a better position to gain support."

CREDIT TO: SCVNEWS.COM



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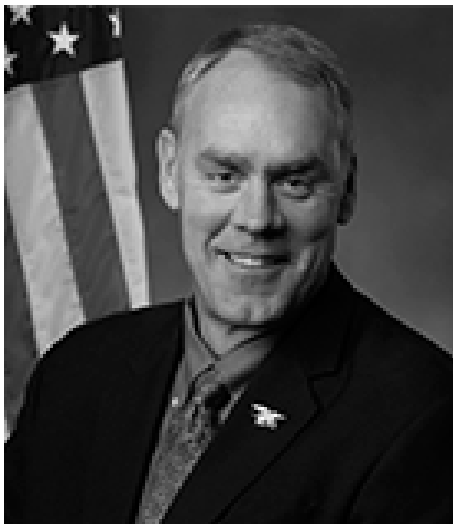


CREDIT TO: ZINKE.HOUSE.GOV

Reps. Steve Knight (left), Steve Russell (center), and Ryan Zinke all pledged to cosponsor national Right to Work legislation in 2014. But so far they haven't done so. Many of the constituents who helped elect them want to know why.

Forced-Unionism States Headed Way of Puerto Rico

Big Labor Monopoly Leads to Fiscal Disaster Across the U.S.A.

In 1998, public-sector union bosses and lobbyists arm-twisted elected officials in the Commonwealth of Puerto Rico into handing Big Labor statutory monopoly-bargaining power to negotiate municipal employees' working conditions.

At the time, the union-label politicians who bore the responsibility for adopting the monopoly-bargaining law vowed that it would not hurt taxpayers or undermine the territory's solvency.

But over the past 18 years, it has become increasingly clear that all such promises were hollow and, frankly, wrong. As multiple national media reports have pointed out over the past few months, Puerto Rico is now struggling under the weight of $72 billion in debt.

Public officials desperately need to cut the territory's heavily unionized government payrolls, which now consume more than two-thirds of the commonwealth budget.

Also absolutely critical are labor-policy and regulatory reforms to halt the secular shrinkage of the entire territorial workforce.

The commonwealth's total payroll employment decline of 14.4% from 2005 to 2015 is a major reason why Puerto Rico can't pay its bills. And rather than remain jobless, a substantial share of Puerto Rico's working-age population has moved to the mainland.

Puerto Rico's Working-Age Population Decline Is Far From Unique

"While Puerto Rico undeniably has several unique problems, its debt crisis stems primarily from the same source as the fiscal and job-climate woes of many states: government-promoted forced unionism," said Mark Mix, president of the National Right to Work Committee.

"And although Puerto Rico's fiscal downfall is now at a more advanced stage than that of any state, a number of states where compulsory unionism is entrenched are manifestly headed in the same direction.

"In some regards, Puerto Rico is actually in less dire shape than several of its mainland counterparts.

"For example, according to the U.S. Census Bureau, from April 2010 to July 2014, the number of Puerto Rico residents in their peak-earning years, aged 35-54, fell by 5.7%.

"Over that same period, 12 forced-unionism states suffered even steeper declines in their peak-earning-year population. For example, Big Labor-controlled Ohio endured a 6.6% decline in 35-54 year-old population.

"In forced-unionism Pennsylvania, there was a 6.7% drop. And in non-Right to Work Vermont, the peak-earning-year population plummeted by 9.8%!"

Lack of Right to Work Protections Makes Economic Recovery Extremely Difficult

"What Puerto Rico, Ohio, Pennsylvania and Vermont all need," Mr. Mix noted, "is Right to Work protections for all types of employees and legislative rollbacks of union monopoly bargaining in the government sector.

"Decades of experience show that, as long as Big Labor has compulsory-unionism privileges, it will virtually always wield them to elect and reelect Tax-and-Spend, business-bashing politicians and perpetuate counterproductive work rules and outrageous featherbedding in government workplaces.

"Since Puerto Rico's Government Development Bank defaulted on a $422 million loan payment last month, the pressure on the U.S. Congress to bail out the commonwealth has intensified.

"It's critical that Capitol Hill leaders and rank-and-file members avoid punishing taxpayers across the U.S. for poor governance in Puerto Rico.

"Instead, Congress must encourage public officials in Puerto Rico to rein in monopolistic government unionism and implement other reforms that will make it possible once again for the commonwealth to attract jobs for its residents and pay its bills."

None of the 12 States with Sharpest 2010-14 Declines In 'Peak-Earning-Year' Population Were Right to Work

State	April 2010 Population Aged 35-54	July 2014 Population Aged 35-54	Peak-Earning Population % Decline
Vermont*	181.0	163.2	**-9.8%**
New Hampshire*	405.2	368.4	**-9.1%**
Maine*	390.0	355.9	**-8.7%**
Alaska*	203.9	187.5	**-8.0%**
Rhode Island*	299.1	277.8	**-7.1%**
Connecticut*	1,060.0	986.7	**-6.9%**
Pennsylvania*	3,556.1	3,317.6	**-6.7%**
Ohio*	3,222.1	3,010.0	**-6.6%**
West Virginia*	513.6	481.7	**-6.2%**
New Mexico*	540.5	507.3	**-6.1%**
Montana*	262.8	246.9	**-6.1%**
Wisconsin*	1,599.3	1,507.3	**-5.8%**
Puerto Rico	971.3	915.6	**-5.7%**

*EXPLANATION: States that were non-Right to Work from 2010-2014 are asterisked. Indiana and Michigan, which passed Right to Work laws in 2012, are excluded. All population totals are in thousands. Source: U.S. Census Bureau

The number of 35-54 year-olds residing in Puerto Rico fell by 5.7% from April 2010 to July 2014. But 12 forced-unionism states endured even steeper declines in "peak-earning-year" population over the same period!

Big Labor Suing to Gut New Right to Work Law

West Virginia Union Bosses Twisting Facts About 'Exclusivity'

Early last month, West Virginia union bosses informed the state attorney general and labor commissioner of their intent to sue to overturn S.B.1, the state Right to Work law adopted by legislators over the veto of union-label Gov. Earl Ray Tomblin (D) in February.

The union brass' undisguised goal is to make it mandatory that employees who are subject to "exclusive" (monopoly) union bargaining bankroll the union in their workplace, even if they would never join it voluntarily.

"It is the longstanding position of the National Right to Work Committee that no employee should be forced to allow union officials to bargain over his pay, benefits, and work rules against his will," said National Right to Work Committee Vice President Greg Mourad.

Monopolistic Unionism 'Reduc[es] Pay of the Most Productive Workers'

"That's why," he continued, "for decades, the Committee has advocated repeal of Section 9(a) of the National Labor Relations Act and all other federal and state employment-law provisions granting union officials either the power or the obligation to bargain contract terms for union nonmembers under any circumstances.

"But as long as Section 9(a) and other similar labor-law provisions remain in place," Mr. Mourad continued, "policymakers at least should refrain from pouring salt in the wounds of employees whom union monopoly bargaining harms by forcing them to bankroll an unwanted union."

Among the types of workers who often get paid less as a result of being subject to so-called union "exclusivity" are those who are especially talented and/or hard-working.

In fact, over the years, a number of academic apologists for Organized Labor have made no bones about the fact that workers whose productivity is above-average typically get paid less when they are unionized. Take, for example, Richard Rothstein, a longtime research associate with the relentlessly pro-Big Labor Economic Policy Institute.

In a brief survey of union-friendly academic literature on the impact of "exclusive" union bargaining on the pay of employees with diverse levels of skill and industriousness, Mr. Rothstein has written:

"In [unionized] firms, wages of lower paid workers are raised above the market rate, with the increase offset . . . [in part] by reducing pay of the most productive workers. If firms with this practice are rare, competitors will be able to bid away their best workers."

CREDIT TO: CHARLESTON (W.VA.) GAZETTE, VIA YOUTUBE

Union chief Kenny Perdue is ignoring the fact, acknowledged even by academic apologists for Organized Labor, that employees whose productivity is above average typically get paid less when they are unionized.

Unfortunately, for years, anti-Right to Work litigation filed on Big Labor's behalf by union lawyers has ignored the facts acknowledged by union-friendly academics like Mr. Rothstein and pretended instead that all workers "benefit" from unionization.

Union Bosses Demand Taxation Power Over Workers

"Judging by press reports, lawyers for the Mountain State AFL-CIO and other unions plan to make the same false assumption, and insist that the West Virginia Constitution mandates that Big Labor have what amounts to taxation power over unionized employees," said Mr. Mourad.

"Hence, union lawyers evidently intend to argue, West Virginia's Right to Work law must go."

In the recent past, union legal strategists have invoked very similar state constitutional arguments against Right to Work laws in Indiana and Wisconsin.

Similar Big Labor Claims Have Been Rebuffed in Court

"In 2014," recalled Mr. Mourad, "the Indiana Supreme Court unanimously overturned a lower court decision and upheld the constitutionality of the Hoosier Right to Work law.

"On the other hand, just this April a circuit judge in union boss-dominated Dane County unquestioningly accepted flimsy 'compulsion is good for all' contentions made by Wisconsin union lawyers and ruled against that state's Right to Work law. It is widely expected that this factually challenged and lawless decision, which has since been stayed, will ultimately be overturned by the state Supreme Court."

Mr. Mourad concluded: "Even if West Virginia AFL-CIO chief Kenny Perdue and his cohorts are handed a pliant circuit judge who will eagerly accept their claims, their anti-Right to Work lawsuit is very unlikely to prevail once it gets to the state Supreme Court.

"The fact is, state Right to Work laws have established a 70-year track record of successfully withstanding state and federal judicial attacks waged by Big Labor and its allies."

Out of the ATC Frying Pan, Into the Fire?

Phony 'Privatization' Would Expand Big Labor Special Privileges

U.S. business analysts and many international travelers who have compared domestic air-traffic control (ATC) with the systems of other wealthy countries agree the U.S. desperately needs to modernize its management of the flow of air traffic.

Modernization requires transitioning ATC from the current, antiquated radar-based system with radio communication to a satellite-based one with digital communication.

Better technology will make it possible for planes to fly closer together safely, take more direct routes, and avoid landing delays.

A genuine privatization of ATC akin to Canada's could reap huge savings for taxpayers and air travelers.

CREDIT TO: ASSOCIATED PRESS

In 1981, militant air-traffic controllers union czar Robert Poli blackmailed taxpayers by waging an illegal strike. Under H.R.4441, ATC strikes would remain technically illegal, but the penalties would be greatly lightened.

'We Should All Pick Up Our Pay Checks With a Mask and a Gun'

Unfortunately, the pseudo-privatization provisions in H.R.4441, the so-called "Aviation Innovation, Reform, and Reauthorization Act of 2016," would take domestic ATC in the wrong direction by expanding the monopoly privileges of National Air Traffic Controllers Association (NATCA) union bosses.

H.R.4441 would spin off ATC, now part of the Federal Aviation Administration (FAA), into the "ATC Corporation," a new not-for-profit monopoly.

Unfortunately, H.R.4441 explicitly provides that the NATCA union hierarchy will continue for the foreseeable future "as the exclusive representative" of ATC Corporation employees on matters related to their pay, benefits and work rules.

The so-called "privatization" would thus leave in place a pro-Big Labor 1996 law through which then-President Bill Clinton and an out-to-lunch GOP Congress dramatically expanded the scope of NATCA bosses' monopoly-bargaining privileges.

Two years later, NATCA bosses exploited this new power to secure, at taxpayers' expense, the most lavish pensions and benefits in the world, while perpetuating inflexible controller scheduling and inefficient work rules and red tape.

After the FAA caved into NATCA bosses' demands, then-union chief John Carr dared to boast that the deal was "such thievery we should all pick up our pay checks with a mask and a gun."

Incredibly, H.R.4441 would render the 1996 monopoly-bargaining scheme even more anti-taxpayer and anti-air passenger by requiring "binding arbitration" in the case of an impasse in negotiations.

That would give the final say regarding union-boss compensation demands and work rules to arbitration boards that are typically stacked with Big Labor partisans instead of a presidential appointee who is accountable to the public.

Union-Boss Business Would Continue to Be Done On the Taxpayer's Dime

Another union special privilege that H.R.4441 would entrench is wasteful "official time."

This is contract language authorizing current FAA and future ATC Corporation employees who are union officers to do union business on the dime of taxpayers and air travelers.

According to Diana Furchtgott-Roth, former chief economist at the U.S. Labor Department and now a senior fellow at the Manhattan Institute, in 2012, the latest year for which data are available, "19 air traffic controllers, 18 of whom earned six-figure salaries, were on full-time official time" -- union work.

"Simply removing the 'official time' provisions in the NATCA boss-negotiated contract would save taxpayers and air travellers over $3 million annually, but H.R.4441 would make that impossible for years to come," noted Matthew Leen, vice president of the National Right to Work Committee.

Committee Ready to Mobilize Massive Public Opposition To Block H.R.4441 if Needed

"Yet another illustration of this legislation's extreme pro-Big Labor monopoly bias," Mr. Leen continued, "is that it would give NATCA union officials seats on the ATC Corporation's board of directors, effectively positioning union bosses on both sides of the bargaining table."

H.R.4441, sponsored by union boss-appeasing Congressman Bill Shuster (R-Pa.), has already been rubber-stamped by a U.S. House committee, and could come up for a floor vote soon after this Newsletter goes to press.

The Committee has already contacted all House members and urged them to oppose this sop to union monopolists.

Mr. Leen promised that he and other Committee leaders are ready to mobilize massive public opposition to prevent H.R.4441 from reaching President Obama's desk if necessary.

In the meantime, he asked Right to Work members to contact their elected officials through the congressional switchboard, 202-224-3121 or 202-225-3121, and insist they oppose H.R.4441 on all votes.

Lodestar: Whatever's Expedient For Union Bosses

'I Favor Rules That Help Big Labor Get and Retain Monopoly Power'

Six years ago this March, President Barack Obama obtained a radically pro-forced unionism National Labor Relations Board (NLRB) with his 2010 "recess" appointment of once-and-future union lawyer Craig Becker.

Ever since then, this federal agency has been doing everything it can to grease the skids for union-boss campaigns to seize monopoly-bargaining power over employees. For example, the Obama NLRB has relentlessly sought to enhance Big Labor's ability to force employees to accept a union as their monopoly-bargaining agent solely through the acquisition of signed union authorization cards from 50% plus one of the employees in a bargaining "unit."

A new bureaucratic rewrite of the rules for how employees may oust an unwanted union proposed last month by Obama-appointed NLRB General Counsel Richard Griffin underscores how this biased board's advocacy of "card checks" is obviously a matter of expediency, not principle.

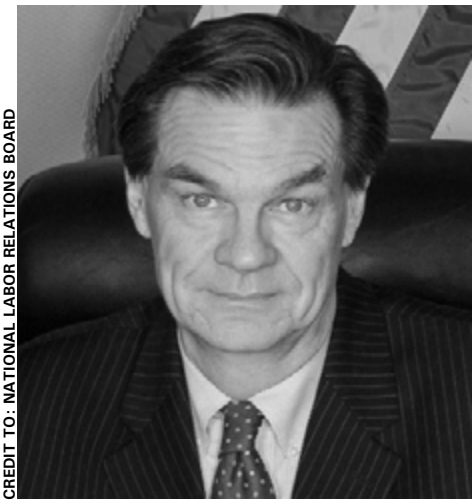
Obama NLRB Has Curtailed Employees' Ability to Challenge 'Card Checks'

In August 2011, the Obama NLRB's controversial *Lamons Gasket* decision overturned a modest limitation on "card check" abuses that had been won by National Right to Work Legal Defense Foundation attorneys on behalf of employee clients and implemented by the board in 2007.

Prior to *Lamons Gasket*, independent-minded employees who were unionized against their will via a "card check" could immediately press for a secret-ballot election to challenge the employer's recognition of a labor organization as their monopoly-bargaining agent.

But as a consequence of this anti-worker decision, employees who don't want a union must wait for as long as four years after a "card check" recognition before a secret-ballot vote to revoke union bosses' monopoly-bargaining privileges can even occur.

General Counsel Griffin's May 9 memorandum instructing regional NLRB bureaucrats to disregard the board's 2001 ruling in *Levitz Furniture Co.* and ask the current NLRB to overturn this ruling tilts unionization procedures even further in Big Labor's favor.



CREDIT TO: NATIONAL LABOR RELATIONS BOARD

When union bosses aim to procure monopoly power, Richard Griffin is happy to dispense with secret ballots.

Under *Levitz*, an employer may cease recognizing a union as employees' monopoly-bargaining agent if a majority of employees in the bargaining unit sign a petition saying they want the union out. But Mr. Griffin wants to make that illegal.

He proposes that an employer "may lawfully withdraw recognition . . . based only on the results of an . . . election"!

Worker's Right to Join or Not Join a Union Should Be Equally Protected

National Right to Work Committee Vice President Mary King commented:

"When union bosses aim to maintain monopoly-bargaining privileges, President Obama's NLRB general counsel supports only secret ballots. And it's a safe bet that a majority of the President's appointees on the NLRB itself will agree.

"But when union bosses' aim is to procure monopoly power, the Obama NLRB is happy to dispense with secret ballots. This is obviously not a principled position.

"Translated into plain English, Mr. Griffin's memorandum on 'Seeking Board Reconsideration of the *Levitz* Framework' says: 'I Favor Rules That Help Big Labor Get and Retain Monopoly Power.'

"For decades, union bosses have contended it should be even easier for them to obtain so-called 'exclusive representation' power to negotiate wages, benefits, and working conditions for members and nonmembers alike.

"That's what so-called 'card checks' and 'neutrality' deals under which the employer is enlisted to help organize the employees are all about.

"Any genuine labor-law reform must recognize the fact that the right to join or support a union and the right not to do so deserve equal protection in the law.

"Unfortunately, current federal labor statutes authorize forced union dues and union monopoly bargaining and thus fail to grant equal protection to workers who don't want a union.

"Obama NLRB bureaucrats want to eviscerate the minimal protections independent-minded workers currently have.

"Committee leaders and members will do all we can to stop them."

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‘Legitimate’ Union Violence?

Continued from page 8

defendants are “deeply problematic . . . .”

Nevertheless, claims the union hierarchy, “these actions may not be prosecuted under the Hobbs Act” because the defendants sought to achieve “legitimate labor ends” through their thuggery.

In 1973, a Deeply Divided High Court Carved a Hobbs Act Loophole For Union Dons

Unfortunately, this seemingly outlandish claim is grounded in a U.S. Supreme Court decision.

Forty-three years ago, a deeply divided High Court actually did find, in *U.S. v. Enmons*, that threats, vandalism and violence perpetrated to secure “legitimate” union objectives are exempted from the Hobbs Act.

However, over the course of the past two decades, multiple federal courts have ruled that the *Enmons* loophole does not apply to the likes of the Local 25 defendants.

They are accused of assualting and threatening independent employees and nonunion business owners who aren’t legally required to negotiate with union bosses over anything.

In such cases, *Enmons* arguably offers no protection for union goons seeking to avoid a Hobbs Act prosecution.

For example, in 2014, Senior Judge Michael Baylson of the U.S. District Court for the Eastern District of Pennsylvania refused to dismiss extortion, racketeering and conspiracy charges against officers and militants of Philadelphia-based Local 401 of the Ironworkers Union.

Their objective when ordering and committing assaults with baseball bats and tire slashings, smashing vehicles with crowbars, damaging construction equipment, and stealing construction materials, insisted the Local 401 defendants, was to advance “legitimate union objectives.”

Allowing Hobbs Prosecutions Of Union Organizing Violence Has a ‘Chilling Effect’?

But Judge Baylson, while agreeing that the use of “strike-related violence” to secure “legitimate” union contract demands does “not constitute Hobbs Act extortion,” found that *Enmons* did not protect the Local 401 gang because their targets were nonunion.

Ultimately, former Local 401 boss Joseph Dougherty was convicted of leading a conspiracy to extort and commit violence against union-free construction employees and businesses.

Eleven of his paid subordinates and militant followers pleaded guilty to resorting again and again to assault, arson and vandalism to bring independent employees and employers into line.

“Big Labor was evidently alarmed by the outcome of *U.S. v. Joseph Dougherty*,” said Mark Mix, president of the National Right to Work Committee. “The brief filed by the Massachusetts AFL-CIO brass in the *Top Chef* extortion case represents an attempt to prevent similar rulings in future union-violence cases.

“According to Steven Tolman and his associates, the *Enmons* loophole must forestall prosecutions of union threats and violence perpetrated against union-free employees as well as against nonstriking employees of unionized businesses.

“By basing her prosecution of Boston Teamster toughs on the understanding of the scope of *Enmons* articulated by jurists such as Mr. Baylson, Ms. Ortiz is, in Mr. Tolman’s view, making a grave error that could have a ‘chilling effect’ on union organizing activity.”

CREDIT TO: : BOSTON CARMEN'S UNION, LOCAL 589/YOUTUBE

Union czar Steven Tolman: The Teamster defendants’ alleged crimes are “deeply problematic,” but “may not be prosecuted under the Hobbs Act,” because the defendants sought to achieve “legitimate labor ends”.

Right to Work Members Push For Congress to Overturn *Enmons* Ruling

“If AFL-CIO bosses in Massachusetts prevail,” warned Mr. Mix, “the scope of the union-violence loophole in the Hobbs Act will be greatly widened.”

Meanwhile, Committee members are fighting for passage of the Freedom from Union Violence Act (S.62), a pending Senate measure that would overturn *Enmons* and hold union bosses who orchestrate threats and violence, regardless of their exact purpose, accountable under the Hobbs Act.

“Because *Enmons* was a matter of statutory, rather than constitutional, interpretation, Congress retains the power to reverse it legislatively,” explained Mr. Mix.

“And that’s exactly what S.62, sponsored by Sen. David Vitter [R-La.], would do. Committee members nationwide are working to build support for this much-needed reform.”

A Bigger Union-Violence Loophole For Big Labor?

Union Dons Insist Criminal Organizing Tactics Aren't 'Extortion'

No court date has yet been set.

But Mark Harrington, secretary-treasurer of Local 25 of the International Brotherhood of Teamsters, and four of his henchmen are expected to go on trial in the near future before U.S. District Judge Douglas P. Woodcock for alleged violations of the federal Hobbs Anti-Extortion Act and other related crimes.

According to U.S. Attorney Carmen Ortiz, Mr. Harrington and his cohorts terrorized the cast and crew of the cooking competition *Top Chef* as the popular cable TV show filmed an episode in Milton, a town located in Boston's greater metropolitan area.

Top Chef had originally planned for the shoot to take place at the Omni Parker House Hotel and the Menton restaurant in Boston.

However, these two venues told *Top Chef* it was no longer welcome after receiving calls in advance of the scheduled filming from Ken Brissette, an appointee of union-label Boston Mayor Martin Walsh, "informing" them that they would be harassed by a Teamster mob if they didn't back out.

(On May 19, Mr. Brissette was separately charged with "union-related extortion" for "allegedly forcing a music festival to hire union stagehands by withholding city permits," according to a Boston *Globe* news report.)

The *Top Chef* shoot went ahead at Milton's Steel and Rye restaurant.

CREDIT TO: STEVEN SENNE/ASSOCIATED PRESS

U.S. Attorney for the District of Massachusetts Carmen Ortiz: "This kind of conduct reflects poorly on our city and must be addressed for what it is -- not [lawful] union organizing, but criminal extortion."

'Rogue Teamsters' Employed 'Old-School Thug Tactics To Get No-Work Jobs'

In explaining why she had sought a grand jury indictment of the five Boston Teamster militants, Ms. Ortiz charged that a "group of rogue Teamsters" had "employed old-school thug tactics to get no-work jobs from an out-of-town production company."

She continued: "In the course of the alleged conspiracy, they managed to chase a legitimate business out of the City of Boston and then harassed the cast and crew when they set up shop in Milton. This kind of conduct reflects poorly on our city and must be addressed for what it is -- not [lawful] union organizing, but criminal extortion."

The indictment itself alleges that, at the restaurant in Milton, two or three of the defendants assaulted crew members "in an attempt to forcibly enter the restaurant."

The defendants also "blocked vehicles from the entryway to the set and used actual physical violence and threats of physical violence to try to prevent people from entering the set."

Several weeks after the chaotic June 2014 *Top Chef* shoot in Milton, the Hollywood trade journal *Deadline* ran a story that gave a sampling of the abusive language and threats Teamster thugs are said to have rained on people arriving at and leaving the set.

Teamster Goon Threatened *Top Chef* Host: 'We're Gonna Bash That Pretty Face In'

For example, one Teamster zealot allegedly screamed at program host Padma Lakshmi: "We're gonna bash that pretty face in, you f***ing wh**e!"

When Jenn Levy, development and production vice president of New York City-based Bravo TV, which carries *Top Chef*, tried to make her way past enraged picketers, they reportedly yelled at her, "You bi**h! You sl*t!"

And according to the indictment, nine parked vehicles belonging to crew members were found to have had their tires slashed after the defendants were observed by the crew "standing in close proximity" to the vehicles.

The Hobbs Act prohibits actual or attempted extortion, i.e., the obtaining of things of value through threats or force, when it affects interstate or international commerce.

Nearly all Americans would agree that, if Mr. Harrington et al actually did do what they are charged with having done, they should be criminally prosecuted under the Hobbs Act.

But not Steven Tolman, the president of the Massachusetts AFL-CIO, and his lieutenants.

In a friend-of-the-court brief they recently submitted to Judge Woodcock, top Bay State AFL-CIO bosses concede that the "actions alleged to have been committed" by the Boston Teamster

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