NATIONAL RIGHT TO WORK NEWSLETTER

VOLUME 62, NUMBER 7 www.NRTWC.org August 2016

Big Labor Owns Hillary Clinton Candidacy

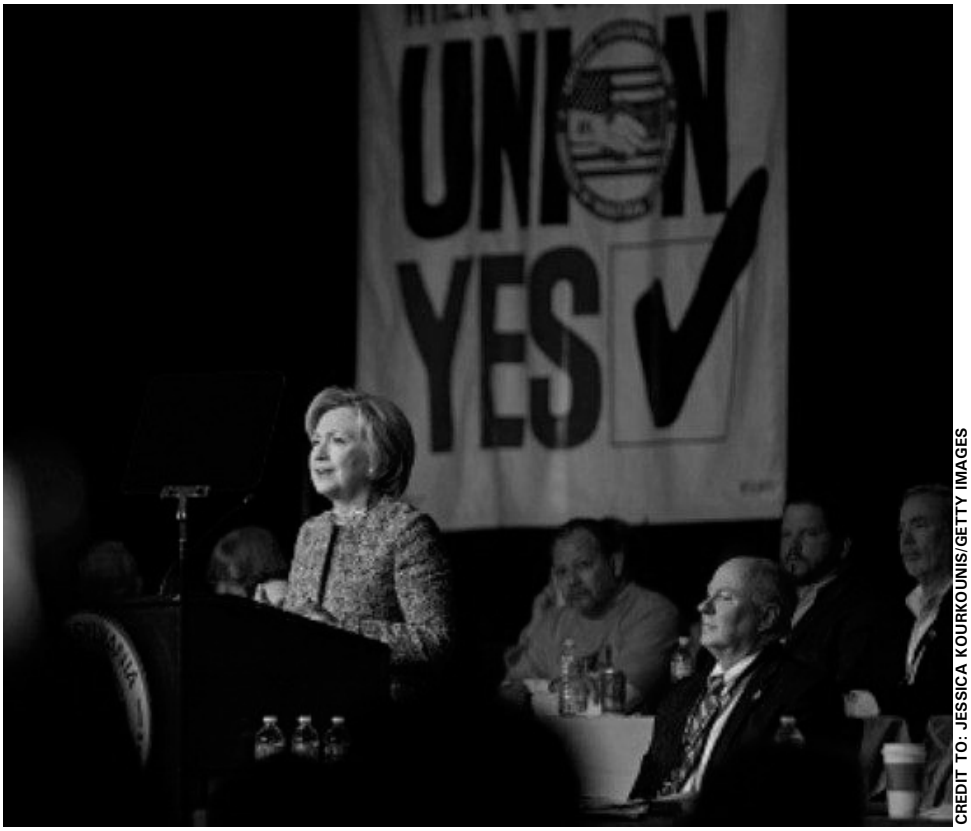
Union Bosses' $1.7 Billion Machine Will Be Deployed on Her Behalf

AFL-CIO union czar Richard Trumka, Service Employees International Union czarina Mary Kay Henry, and other Big Labor bosses are going all out to elect as America's 45th President Hillary Clinton, the all-but inevitable Democrat nominee as this Newsletter edition goes to press.

Mr. Trumka, Ms. Henry, and their cohorts are also setting their sights on regaining operational control over at least one chamber, if not both, of the U.S. Congress this fall.

As the AFL-CIO board formally endorsed the Clinton candidacy in mid-June, Mr. Trumka issued a statement publicly emphasizing his well-founded belief that she would have no hope of winning this November were it not for the extraordinary power of the forced dues-funded union political machine:

"Hillary Clinton has proven herself as a champion of the [organized] labor movement, and we will be the driving force to elect her President of the United States."



CREDIT TO: JESSICA KOURKOUNIS/GETTY IMAGES

Forced unionism is hugely unpopular with ordinary Americans regardless of their party affiliation. But presumptive 2016 Democrat presidential nominee Hillary Clinton has time and again proclaimed her support for compulsory union dues.

Ms. Clinton: 'Organized Labor Will Have a Champion Inside the White House'

Despite the overwhelming unpopularity of the union bosses' forced-unionism agenda with ordinary Americans regardless of their political affiliation, Ms. Clinton is unabashed in acknowledging that her domestic policy objectives fall right in line with those of Richard Trumka and company.

In May, as she gratefully accepted the backing of the United Auto Workers union hierarchy, Ms. Clinton declared with unusual candor:

"If I am lucky enough to be elected President, organized labor will have a champion inside the White House . . . ."

What is it, exactly, that Big Labor wants and expects of Ms. Clinton?

Ms. Clinton Vows to Exercise Executive Power to Corral More Workers Into Unions

First and foremost, at the union bosses' behest, Ms. Clinton has committed herself to ignoring the views of the nearly eight out of 10 of Americans, including a clear majority of rank-and-file Democrat voters, who support the Right to Work principle.

National Right to Work Committee President Mark Mix noted that, for nearly 60 years, the world-famous Gallup polling firm has been scientifically surveying Americans nationwide about forced unionism in this way:

"Some states have passed right-to-work or open shop laws that say each worker has the right to hold his job in the

See **'Champion'** *page 2*

Big Labor Bosses' 'Champion'

Continued from page 1

company, no matter whether he joins a labor union or not. If you were asked to vote on such a law, would you vote for it, or against it?"

"In August 2014," said Mr. Mix, "the last time Gallup asked this question, Americans overall said they support Right to Work laws by more than a three-to-one margin. Self-identified Democrats said they favor the Right to Work principle by more than two-to-one.

"But Hillary Clinton is vowing to the union hierarchy that she will veto a national Right to Work law should Congress pass one.

"And she is actually bragging on the campaign trail about how she was, as a U.S. senator representing New York State, an original cosponsor of the 'Card Check' Unionization Bill.

"This scheme would have virtually eliminated secret-ballot voting for union certification and handed Big Labor a huge new weapon to force workers into unions.

"Ms. Clinton has even promised the union brass that, if elected, she would if necessary circumvent Congress and issue executive orders designed to 'help unions grow,' that is, to corral even more workers into union ranks."

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

Hillary Clinton is clearly eager to benefit from union dons' massive political mobilization as she seeks the presidency.

What she does not acknowledge, naturally, is that Big Labor's nationwide electoral program is being financed by union dues and fees that millions of hardworking Americans are compelled to fork over, on pain of being fired from their jobs.

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

The Institute analysis relied almost entirely on reporting forms filed by union officials themselves with federal and state government agencies.

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 that union bosses control by far the largest political machine in America.

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, mostly workers' compulsory dues and fees, 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.

Right to Work Candidate Survey 2016 Can Help Preserve Senate Firewall

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 forms don't cover.

"Government unions that have no private-sector members, including many teacher union locals and other deeply political state and local unions, don't have to file LM-2's," said Mr. Mix.

"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."

If current presidential and congressional polls are correct, a federal "election sweep" by Big Labor is a serious danger this year.

That's why Right to Work's federal candidate survey program is especially critical in 2016.

"Right now," said Mr. Mix, "the Committee Survey '16 is already identifying the positions of hundreds of federal candidates, especially U.S. Senate candidates, on the Right to Work issue.

"Within a few short weeks, the focus of the federal survey will turn towards informing freedom-loving Americans about where their candidates stand.

"With members' moral and financial support, Survey '16 can help Right to Work supporters maintain, at an absolute minimum, a Senate firewall to block 'card check' legislation and other power grabs through extended debates over the next two years, regardless of who is occupying the White House."

Mr. Mix urged Committee members across America to do everything they can to protect employees' Right to Work by participating fully in Survey '16 whenever they receive a request, in the mail or over the phone, to do so.

CREDIT TO: DAILY VENTURE

With rabidly pro-union monopoly Hillary Clinton now leading in nationwide presidential polls, the success of the Committee's Survey 2016, which is designed primarily to bolster support for the Right to Work in Congress, is absolutely critical.

A 'Constitutional Right' to Exact Forced Fees?

Right to Work Attorneys Help Rebut Pro-Union Monopoly Lawyers

In two lawsuits now before federal courts in Idaho and Wisconsin, Harvard professor and "go-to" union lawyer Ben Sachs is pushing for an extraordinary reinterpretation of the Fifth Amendment's Takings Clause that would prohibit all federal and state Right to Work legislation.

Mr. Sachs' cases target workplaces where Big Labor is empowered by law to represent all front-line employees, including union members and nonmembers alike, throughout all negotiations with the employer on matters concerning terms of employment.

In such workplaces, contend Mr. Sachs and his legal team, union officials have a constitutional right to seize so-called "agency" fees from nonmembers on pain of termination if they refuse.

As Idaho Attorney General Lawrence Wasden, who is leading the defense of the Gem State's three-decade-old Right to Work law from Mr. Sachs' legal assault, has pointed out in a court filing, such statutes cannot possibly constitute in themselves or facilitate a "Taking" from union officials.

Under Idaho's Right to Work law, Mr. Sachs' clients, the hierarchy of Local 370 of the International Union of Operating Engineers (IUOE), and other union bosses are absolutely free to "persuade nonmembers to make voluntary payments" by convincing them that the union furnishes valuable services.

If Mr. Sachs Were Right, Monopoly-Bargaining Ban Would Be the Sensible Remedy

And in an *amicus* brief submitted in late May to the federal judge hearing the *IUOE Local 370* suit, attorneys for the National Right to Work Legal Defense Foundation, the National Right to Work Committee's sister organization, and Idaho attorney David Leroy reinforced Mr. Wasden's argument.

They explained that, even if Mr. Sachs and his cohorts were correct, "the most appropriate remedy" for the federal courts to take would be to "strike down" Section 9(a) of the National Labor Relations Act (NLRA), which "authorizes exclusive union representation . . . ."

The Foundation/Leroy brief continued: "Only by striking down exclusive representation would unions be relieved of the alleged 'burden' of representing all employees in a unit, thus ending the taking of which Local 370 complains."

CREDIT TO: WIKIMEDIA COMMONS/GAGE SKIDMORE

Mark Mix: There is no logical reason for union lawyer Ben Sachs to single out Taft-Hartley Section 14(b) as a target for destruction, unless encouraging judicial activism on union bosses' behalf is his real agenda.

Moreover, if union bosses really did have a "constitutional right" to exact forced fees from nonmembers and federal courts did not hold government-authorized monopoly bargaining to be unconstitutional, then multiple provisions of the amended NLRA, if not the entire statute, would be unconstitutional.

Mark Mix, the president of the Committee and the Foundation, commented: "Given his astonishing premises, it makes no sense for Ben Sachs to single out Section 14(b) of the 1947 Taft-Hartley NLRA amendments, which authorizes state Right to Work laws, as a target for destruction.

"The fact is, even in states without Right to Work protections, the amended NLRA provides for an array of circumstances under which union bosses may lawfully be denied the privilege of seizing money from union nonmembers as a condition of employment."

One especially important example is the clear prohibition under NLRA Sections 7, 8(a)3 and 8(b)2 on forcing nonmembers to support a union financially unless and until the employer acquiesces to the inclusion of a compulsory-dues clause in the workplace contract.

Do Mr. Sachs and His Cohorts Really Buy Their Own Far-Fetched 'Takings' Argument?

Section 7 recognizes employees' right to refrain from assisting a union in any way "except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment" as authorized in Section 8(a)(3).

Section 8(b)(2) states that union officials themselves violate the NLRA whenever they sway an employer to exact forced dues or fees from workers without contractual sanction.

Mr. Mix concluded: "If Ben Sachs and his legal team really believed their own far-fetched 'Takings' argument, their litigation would be targeting wide swaths of the NLRA, not just 14(b) and Right to Work laws.

"The mere fact that their litigation singles out 14(b) shows that encouraging judicial activism on union bosses' behalf is their real agenda. But I'm cautiously optimistic the federal courts will reject this ploy."

Right to Work States' Factory Output Rises

Cost of Living-Adjusted Factory Pay Lower in Forced-Dues States

According to U.S. Commerce Department data released on June 14, last year a record 49.7% of the entire U.S. manufacturing output occurred in states that had prohibited compulsory union dues and fees.

As recently as 2005, just 37.3% of the manufacturing production in the U.S. took place in Right to Work states.

And in the wake of West Virginia's adoption of the 26th state Right to Work law this February, it now seems likely that, when the Commerce Department issues its next annual report on state manufacturing GDP, it will show a majority of the nation's factory output emanating from Right to Work states.

From 2010 to 2015, Right to Work States' Factory Payroll Employment Grew by 7.7%

National Right to Work Committee Vice President Mary King commented that, when it finally becomes official that most of American's manufacturing output comes from states that prohibit compulsory union dues and fees, it will simply be a milestone in a disciplined and strategic march toward worker freedom:

"In 1985, the year Ronald Reagan began his second presidential term, just 28.4% of the total value of U.S. factory output cam e out of Right to Work states, then 21 in number.

"By 1995, in the middle of Bill Clinton's first term in the White House, the Right to Work share of U.S. manufacturing GDP had risen to 32.9%.

"Right to Work's gradual rise to dominance in domestic manufacturing output and employment is a consequence in part of the adoption of Right to Work laws in Idaho, Oklahoma, Indiana, Michigan, Wisconsin, and West Virginia since 1985.

"But it is also a result of faster growth in Right to Work states.

"For example, since nationwide manufacturing payroll employment bottomed out at 11.53 million in 2010 in the wake of the Great Recession, the 22 states that already had Right to Work laws on the books at the time have enjoyed a 7.7% increase in factory-sector jobs.

"That's roughly 75% more than the total percentage gain for the 25 states where compulsory union dues were still permitted in 2015."

Ms. King added that counter-productive work rules imposed and perpetuated for decades by Big Labor bosses wielding forced-unionism privileges are obviously a key factor behind the state manufacturing GDP data.

"In industry after industry," she explained, "union bosses have negotiated contracts requiring rigid job classifications that waste time and money, ultimately to the detriment of workers' paychecks and job security.

"Starting in the late 1980's, it became increasingly apparent that firms under rigid union monopoly-bargaining rules like the Big Three automakers were being crushed by union-free domestic competition, which is most often based in Right to Work states.

"Over the past few years, manufacturing union bosses have finally responded by grudgingly allowing some reforms of work rules and inefficient health-insurance and pension systems. But for the most part it has been too little, too late."

Jobs Enable Millions of Workers to Provide Well For Their Families

Unlike the manufacturing facilities of America's past, the new factories springing up in Right to Work states located in Southern, Rocky Mountain and Plains States, and now in the Great Lakes region as well, are highly efficient. They require enterprising workers.

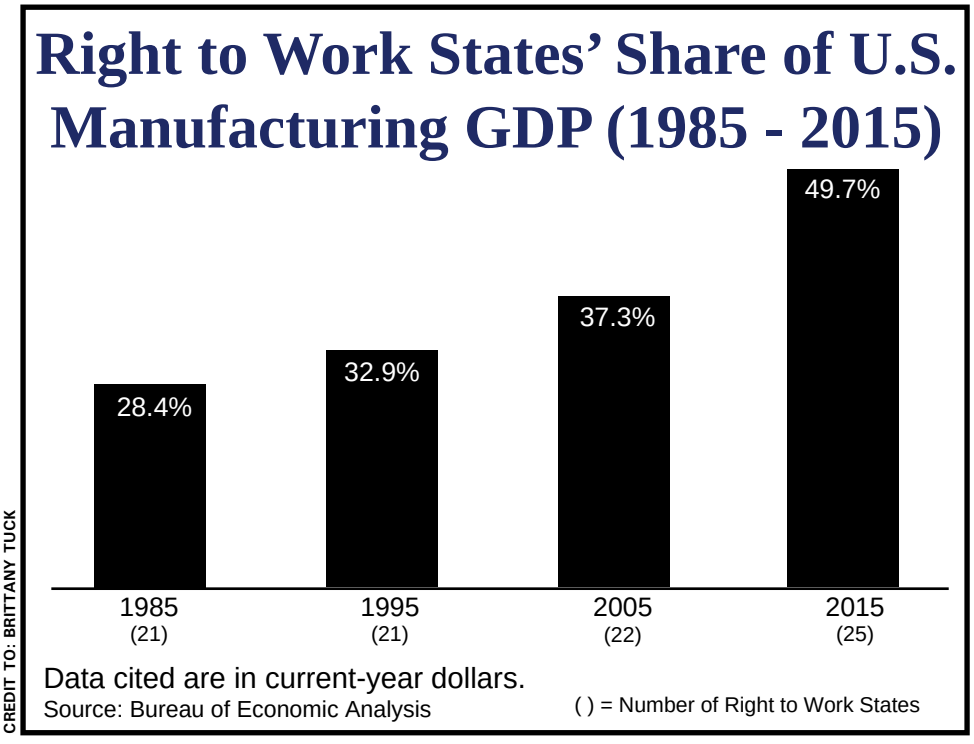
And the highly productive jobs located in such sites are enabling millions of workers to provide well for themselves and their families, especially when Right to Work states' low aggregate cost of living compared to that of forced-unionism states is taken into account.

Commerce data, adjusted for regional cost-of-living differences according to an index calculated by the Missouri Economic and Research Information Center (MERIC), a government agency, show that in 2014 the average annual compensation per Right to Work state manufacturing employee was $74,888.

That's roughly $3600 more than the average for states that still lacked Right to Work protections in 2014.

"The manufacturing sector must be seen as a vital component of our national prosperity," said Ms. King. "It is a sector that today represents roughly 14% of the entire private economy.

"And Right to Work laws have played an absolutely critical role in enabling this sector to continue growing and prospering."



CREDIT TO: BRITTANY TUCK

In 1985, barely more than one-quarter of America's total manufacturing GDP emanated from Right to Work states. But by 2015 nearly half of all U.S. manufacturing production occurred in such states.

Right to Work Wisconsin's Economy Accelerating

Rapid Employment Growth Confounds and Contradicts Union Bosses

Practically from the day GOP Gov. Scott Walker signed a measure in March 2015 making Wisconsin America's 25th Right to Work state, union bosses and their lawyers have been trying to overturn the Badger State's ban on compulsory union dues and fees as a condition of employment.

But job-creating private-sector businesses are apparently acting on the assumption that Big Labor's legal campaign to kill the Right to Work law won't succeed.

According to seasonally-adjusted U.S. Labor Department data, in the first 12 months after the law was signed, Wisconsin gained roughly 49,000 private-sector payroll jobs. The state had not previously experienced 12-month private-sector job growth of that magnitude since August 2003-August 2004!

State Unemployment Rate Now at Its Lowest Level Since February 2001

From May 2015 to May 2016, the latest 12-month period for which data are available as this Newsletter edition goes to press, Wisconsin experienced a nearly as impressive gain of 46,000 seasonally-adjusted private-sector payroll jobs. The state's unemployment rate of just 4.2% is now as low as it's been in Wisconsin since February 2001, a little more than 15 years ago.

Among the firms that have recently made major job-creating investments in Right to Work Wisconsin are Milwaukee Tool, printer Quad/Graphics Inc., and furniture retailer Steinhafels.

CREDIT TO: WWW.INTHEHOUSESHOW.COM

Brookfield-based Milwaukee Tool is one of the many firms that have recently added jobs in Wisconsin.

National Right to Work Committee Vice President Greg Mourad commented:

"One obvious motive of Big Labor litigation to overturn state Right to Work laws such as *Machinists Local 1061*, the state-court case now pending in Wisconsin, is to discourage businesses from making long-term investment decisions in response to the passage of a ban on forced union fees.

"Union bosses know that, for more than half a century, none of their anti-Right to Work wins in lower courts have been upheld on appeal. But creating a climate of uncertainty can at least theoretically prevent a Right to Work law from having much economic impact while it is being subjected to legal challenges.

"Of course, being in legal limbo also renders a law more vulnerable to legislative attacks.

"Unfortunately for Big Labor, recently-enacted Right to Work laws in states like Indiana, Michigan, and now Wisconsin all appear to have begun spurring faster economic growth almost immediately, even as union lawyers were suing to get them overturned."

Lawless Dane County Circuit Court Decision Has Been Put on Hold

Back in early April, the union hierarchy chalked up a preliminary win when a Big Labor activist jurist, Dane County Circuit Judge William Foust, issued a ruling in which he insisted that the Wisconsin Constitution mandates that Big Labor have what amounts to taxation power over unionized employees.

Hence, he concluded, the Right to Work law must go.

Fortunately, on May 24 the Wisconsin Court of Appeals issued a stay on Judge Foust's decision, reinstating the Right to Work law while an appeal of the Dane County ruling is pending.

In granting the stay, District 3 Court of Appeals Judge Lisa Stark explained that the appeal's "likelihood of success" is "sufficient" to warrant it.

Attorneys for the National Right to Work Legal Defense Foundation, in partnership with the Wisconsin Institute for Law and Liberty's legal team, had earlier in May filed a brief in support of Wiconsin Attorney General Brad Schimel's motion for a stay of Judge Foust's anti-Right to Work decision.

Moral Case For Right To Work Laws Is Primary

Mr. Mourad observed: "Of course, the primary reason citizens have fought to enact Right to Work laws in Wisconsin and 25 other states is that it's just plain wrong for public policy to force any person to join or bankroll a labor union as a condition of employment.

"In fact, protecting employees' Right to Work would be the right thing to do even if it had no impact on economic growth. But the experience of state after state actually indicates the impact is substantial."

NATIONAL RIGHT TO WORK NEWSLETTER

www.NRTWC.org August 2016

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)).

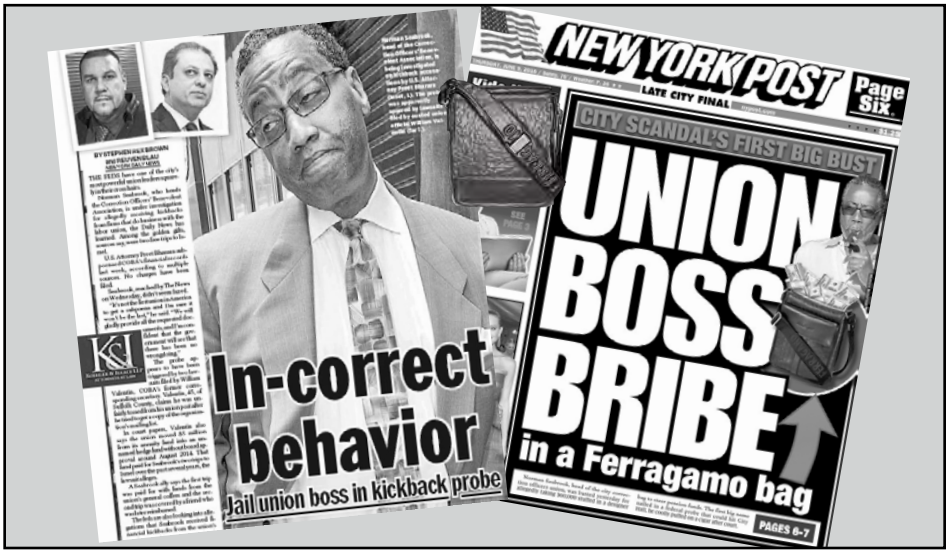
‘How Much’ Will Norman Seabrook ‘Get Paid’?

Big Apple’s High-Living Corrections-Officer Union Chief Arrested

During the late 1950’s, a U.S. Senate Select Committee headed by John McClellan (D-Ark.) held a series of public hearings that documented widespread and systematic violence, coercion, shakedowns, and racketeering by Big Labor bosses.

The victims were the public, employers, and above all independent-minded workers.

In *Power Unlimited*, a 1959 book on the McClellan Committee hearings, law professor and former unpaid union organizer Sylvester Petro concluded that the evidence gathered by the select committee had revealed that “compulsory unionism is the principal cause of corruption and maladministration” of unions.



CREDIT TO: NY DAILY NEWS, NY POST, SLAVATORE FERRAGAMO

According to federal prosecutors, Norman Seabrook wasn’t satisfied with his forced dues-funded $300,000 salary. That’s why he began soliciting kickbacks from the high-risk Platinum Partners hedge fund in late 2013.

Compulsory Unionism ‘Draws Into Unions’ Individuals ‘Who Abuse Union Members’

Dr. Petro went on succinctly to explain why this was so:

Compulsory unionism “draws into unions” individuals “who abuse union members,” and simultaneously “takes from the members any real power to rid themselves of the looters.”

Power Unlimited was published in 1959, the year before Norman Seabrook was born. And yet he apparently fits to a T Dr. Petro’s characterization of the kind of person compulsory unionism encourages to become a union professional.

On June 8, Mr. Seabrook was arrested on two counts of fraud for allegedly demanding and then accepting a $60,000 kickback, with the promise of more, to steer $20 million in pension money largely furnished by taxpayers, and designated exclusively for New York City corrections officers, into a risky hedge fund.

Until he was busted by the FBI, Mr. Seabrook had for more than two decades headed the 9000-member Corrections Officers Benevolent Association (COBA) union in the Big Apple.

Because corrections officers are forced under New York State law to fork over more than a $1000 apiece in union dues and fees every year to the COBA union in order to keep their jobs, Mr. Seabrook and other union officers had plenty of cash to help “friendly” politicians and hurt perceived “enemies.”

According to the federal indictment, Mr. Seabrook’s principal coconspirator is Murray Huberfeld, formerly an executive with the Platinum Partners hedge fund.

Mr. Seabrook Allegedly Got A $60,000 Kickback, Brought In a Ferragamo Bag

In late 2013, an acquaintance and business associate of Mr. Huberfeld’s paid Mr. Seabrook’s airfare for a trip they took together to the Dominican Republic. One night at their hotel, Mr. Seabrook allegedly began complaining to his benefactor about the insufficiency of his $300,000-a-year, forced dues-funded salary.

Shortly after Mr. Seabrook returned to New York, Mr. Huberfeld reportedly let him know that, if the taxpayer-financed COBA Annuity Fund was invested with Platinum, the union boss would get a kickback equivalent to 2% of the hedge fund’s profit.

Evidently yearning for more specificity, the COBA kingpin responded, “in sum and substance”: “How much is Norman Seabrook going to get paid?” He was told that would depend on the investment amount and the profit, but it could be between $100,000 and $150,000 a year.

Mr. Seabrook then handed over $15 million from COBA’s Annuity Fund and $5 million in forced union dues to Platinum. Later he allegedly received $60,000 in kickbacks, delivered in an $820 Ferragamo bag.

This was supposed to be just a down payment, but once the union boss and the hedge fund executive realized the feds were on to them, they evidently called off the scheme.

National Right to Work Committee Vice President Matthew Leen commented:

“Big Labor purports to wield its monopoly privileges to advance the interests of employees, but the Seabrook indictment and the records of multiple other similar corruption cases that have already been prosecuted show how easily these privileges can be used to line union bosses’ own pockets.”

Right to Work Laws Can Help Break Cycle of Corruption

Mr. Leen added: “By far the most promising way to break the cycle of corruption is passage of Right to Work legislation.

“In New York, a state Right to Work law would make it far less difficult for rank-and-file members to fight union corruption by empowering them to resign and withhold all of their dues, without being fired as a consequence.

“Passing such a reform in the Empire State will be a long and onerous battle. But National Committee members won’t rest until employees across the U.S. are protected from forced union dues and fees.”

Pushbutton Forced Unionism Is Back

Continued from page 8

CREDIT TO: AP PHOTO/DENNIS COOK

President Obama's NLRB is now trying to implement, in significant part, a legislative power grab that the late AFL-CIO chief Lane Kirkland (at podium) and former President Bill Clinton weren't able to get through Congress.

or sidestepped constitutional challenges to private-sector union bosses' core special privileges.

"But the courts have not given Big Labor everything it wants.

"Specifically, both the federal judiciary and, until now, the NLRB have held again and again that, during an economic strike, employers may licitly offer permanent employment to workers who want it."

In 1938, the Supreme Court Refused to Impose 'Pushbutton Strikes' by Judicial Fiat

"The only exception," said Mr. Mix, "until now, has been if the employer had an 'unlawful purpose' in hiring employees for permanent positions that had nothing to do either with keeping the business open during the strike or with avoiding future strikes.

"Increasing the number of employees who are subject to union monopoly bargaining and forced to pay union dues as a condition of keeping their jobs are common objectives of economic strikes.

"Therefore, one important effect of the U.S. Supreme Court's refusal in its 1938 *McKay Radio* decision to impose 'pushbutton strikes' by judicial fiat is to put a modest constraint on union bosses' power to corral workers into unions.

"Without admitting it, *American Baptist Homes* practically turns *McKay Radio* on its head.

"It says that employers facing a labor stoppage commit an 'unfair labor practice' whenever they offer permanent jobs to nonstriking workers if they are at least partially motivated by a desire to prevent future strikes.

"It's impossible to predict the full scope of the negative impact of *American Baptist Homes* if it is allowed to stand. But the harmful results are likely to include major jumps in the number of workers who are subject to union monopoly control and forced to pay union dues, or be fired from their jobs."

Fortunately, the U.S. Congress has the authority to halt the Obama NLRB's pushbutton strike scheme.

This summer, the National Right to Work Committee's legislative staff will be working with the staff of Capitol Hill opponents of compulsory unionism to draft a floor amendment to the Labor, HHS and Education Appropriations Act for FY 2017.

Appropriations Amendment Could Rein in Rogue NLRB

The aim of the amendment will be to block the NLRB from spending any of its budget to impose penalties on employers and independent-minded employees who disregard the lawless *American Baptist Homes* decision.

"If House Speaker Paul Ryan [R-Wisc.] and Senate Majority Leader Mitch McConnell [R-Ky.] give their full support to efforts to stop the NLRB zealots, I am confident Congress can approve an FY 2017 appropriations bill that prevents this agency from rewriting federal labor law by bureaucratic fiat," said Mr. Mix.

"But congressional passage is just one modest step on the road to a Right to Work victory in the battle over the radically pro-forced unionism NLRB.

"Since, thanks to determined opposition from Committee members and their allies, President Obama has been unable to enact legislation directly expanding Big Labor's forced-unionism privileges during his seven-and-a-half years in office, he wants desperately to accomplish the same goal administratively."

A Battle That Is 'Undoubtedly Uphill,' But Nevertheless Winnable

Mr. Mix continued:

"Only if self-avowed foes of forced unionism in Congress make it crystal clear to the President that they will never back down and send him an NLRB appropriation without a Right to Work-protecting amendment is there a chance that the President will ultimately sign a measure blocking *American Baptist Homes*.

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

Mr. Mix vowed that the Committee would, if necessary and appropriate, mobilize freedom-loving Americans across the country to contact their elected officials regarding the importance of including a provision thwarting the pushbutton strike scheme in the FY 2017 Labor-HHS-Education appropriation.

Obama NLRB Revives Pushbutton Strike Scheme

Edict Will Help Organized Labor Corral More Workers Into Unions

A quarter-century ago, as the 102nd Congress convened in early 1991, Big Labor Sens. Ted Kennedy (D-Mass.) and Howard Metzenbaum (D-Ohio) and Rep. Bill Clay (D-Mo.) introduced the union bosses' #1 legislative objective, the Pushbutton Strike Bill (S.55/H.R.5), in both chambers of the U.S. Capitol.

(Mr. Kennedy and Mr. Metzenbaum have since passed away.)

Cynically mislabeled by its top sponsors as the "Workplace Fairness Act," S.55/H.R.5 was designed to force employers to punish or even fire workers for defiance of union-boss orders to participate in an economic strike.

Dozens of Politicians First Backed S.55/H.R.5, Then Were Ousted From Office

Enactment of this bill would have greatly expanded the union hierarchy's power to force workers to pay union dues or fees as a condition of employment.

The Pushbutton Strike Bill was originally rubber-stamped by the House, 247-182, in July 1991. However, in June 1992, Right to Work supporters in the Senate resisted two cloture motions filed by Majority Leader George Mitchell (D-Maine) and stopped the legislation with a filibuster.

Shortly after Bill Clinton, who vowed to sign the strike bill if it reached his desk, became President in 1993, the House once again passed the bill, albeit by a slightly narrower 239-190 margin.

But the bill once again succumbed to a Right to Work Senate filibuster in July 1994. This time Mr. Mitchell was only able to muster 53 votes for two cloture motions.

A 1992 *Time*/CNN poll and a 1993 poll by the Marketing Research Institute both showed that a two-to-one majority of Americans opposed the strike bill. Big Labor propagandists claimed the polls were wrong.

But in the 1992 and 1994 elections, Americans, many of them mobilized by the National Right to Work Committee, punished dozens of politicians who had backed Kennedy-Metzenbaum-Clay.

A total of 40 Senate and House members who had voted with the union bosses were defeated when they sought reelection in 1992 and 1994.

Union Officials Obviously Never Considered Their 1994 Defeat to Be Definitive

The voter backlash against the strike bill and other Clinton Administration policies was so powerful that, when the new Congress convened in 1995, elected officials who had publicly pledged to support Right to Work stood at the helm of both the Senate and the House.

This was a bitter defeat for Big Labor, but union officials have obviously never considered it to be final.

And now Mark Pearce, President Barack Obama's handpicked chairman of the National Labor Relations Board, and one other radical Obama-appointed NLRB member have banded together to curtail sharply employees' freedom to work in defiance of Big Labor strike orders without being punished as a consequence.

Bureaucrats' Power Grab Would 'Gut Nearly 80 Years of Court Precedents'

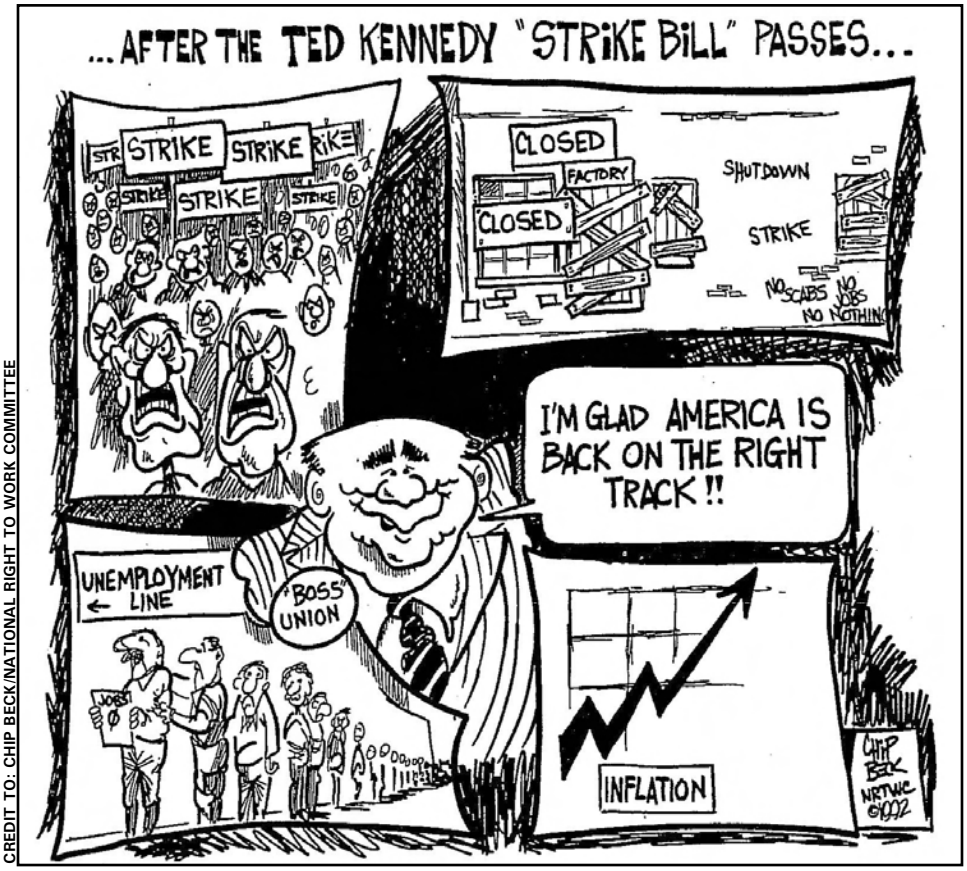
"If the Obama NLRB's May 31 decision in *American Baptist Homes of the West* stands," charged National Right to Work Committee President Mark Mix, "it will gut nearly 80 years of court precedents."

He explained: "The two pillars of statutory employee-employer law in the private sector across the U.S., the National Labor Relations Act [NLRA] and the Railway Labor Act [RLA], are most certainly stacked against the rights of the individual employee and in favor of union-boss collectivism.

"And the two key ways in which the NLRA and the RLA trample the employee's personal freedom are by authorizing union monopoly bargaining and forced union dues and fees.

"The federal courts, including the U.S. Supreme Court, have repeatedly rejected

See **Pushbutton** *page 7*



CREDIT TO: CHIP BECK/NATIONAL RIGHT TO WORK COMMITTEE

During the early 1990's, politicians like Ted Kennedy tried to ram through legislation empowering Big Labor to punish union nonmembers for refusal to strike. And Committee members led the successful opposition.