



# NATIONAL RIGHT TO WORK NEWSLETTER

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## Politicians Urged to Get Off the Fence *Constituents' Message: Keep Pro-Right to Work Campaign Promises*

A little more than a year and a half ago, 22 candidates were elected to Congress for the first time after pledging, in response to the National Right to Work Committee's Survey 2016, to sponsor or cosponsor legislation abolishing federally imposed forced union dues and fees.

And the vast majority of the U.S. House members who promised to support forced-dues repeal are now cosponsors of H.R. 785, the National Right to Work Act.

But a relative handful of the representatives who answered their Committee surveys 100% in favor of Right to Work, such as U.S. Reps. Andy Biggs (R-Ariz.), Scott Taylor (R-Va.), and Don Bacon (R-Neb.), have yet to follow

through by cosponsoring forced-dues repeal.

This summer, the Committee is mobilizing members and supporters in a number of targeted congressional districts and states to convince fence-sitting politicians to cosponsor H.R. 785 or its Senate companion measure, S. 545.

### Constituents of Reps. Biggs, Taylor and Bacon Are Strongly Pro-Right to Work

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 2018, candidates will be given several chances to return their surveys and answer 100% in favor of American employees' Right to Work.

National Right to Work President Mark Mix commented:

"This year, as in previous election years, millions of grassroots Right to Work supporters are being enlisted to lobby federal politicians seeking election or reelection to oppose compulsory unionism across the board.

"Andy Biggs, Scott Taylor, Don Bacon, and other U.S. representatives who are currently being targeted through the Survey Program represent some of the most strongly pro-Right to Work jurisdictions in America.

"There's no sensible reason why House members whose constituencies are overwhelmingly and passionately opposed to monopolistic unionism should hesitate to cosponsor H.R. 785."

### No One Should 'Be Required To Join' Any Private Group 'Against His Will'

Of course, it isn't just in a subset of congressional districts that public opinion strongly supports the Right to Work principle.

"Poll after poll shows that the American people as a whole recognize that compulsory unionism is wrong," said Mr. Mix. To illustrate the point, he cited an August 2014 nationwide scientific survey of adults aged 18 and over conducted by Gallup, Inc.

The poll found that 82% of adults agree that "no American should be required to

## Compulsory Unionism Linked to Poor Employment-Growth Prospects

### Best States for Jobs

### Worst States for Jobs

1	Utah	8	Wyoming	50	New York	43	Montana
2	Idaho	9	South Dakota	49	Vermont	42	Maine
3	Indiana	10	Virginia	48	Illinois	41	Oregon
4	North Dakota	11	Georgia	47	California	40	Connecticut
5	Arizona	12	Tennessee	46	New Jersey	39	Rhode Island
6	Florida	13	Nevada	45	Hawaii	38	Pennsylvania
7	North Carolina	14	Texas	44	Minnesota	37	Washington

Forced-unionism states are shaded in blue.

Source: *Rich States, Poor States*, 2018 edition  
American Legislative Exchange Counsel

Wherever Big Labor wields the power to collect forced dues, union bosses funnel a large share of the confiscated money into efforts to elect and reelect business-bashing politicians. Job and income growth lag as a consequence.

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# Get Off the Fence, Congressmen!

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join any private organization, like a labor union, against his will.”

“Unfortunately,” observed Mr. Mix, “federal labor policy has long been in conflict with the common-sense views of the vast majority of ordinary citizens across the country.

“For more than eight decades, it has explicitly authorized the termination of employees for refusal to join or pay dues or fees to a union, even if they don’t want it, and never asked for it.”

But all this would change if H.R.785/S.545 became law. This legislation would simply repeal the current provisions in the federal code that authorize and promote the termination of employees for refusal to pay money to an unwanted union.

## Top 14 States For ‘Economic Outlook’ All Have Right to Work Laws

In addition to enjoying the support of the vast majority of Americans, federal Right to Work legislation is almost certain to foster faster job and income growth around the country, based on decades of experience at the state level.

*Rich States, Poor States*, a survey of state economic policies, past performance and prospects prepared by Arthur Laffer, Stephen Moore, and Jonathan Williams, and published by the Arlington, Va.-based American Legislative Exchange Council, helps show why this is so.

The Laffer-Moore-Williams analysis highlights an “economic outlook ranking,” a forecast of economic performance

“based on a state’s current standing in 15 state policy variables” related to taxes, spending, and business regulation as well as labor-management relations.

And, according to the 11th edition of *Rich States, Poor States*, published this April, every single one of the 14 top-ranking states for economic outlook has a Right to Work law. Not a single one of the 17 bottom-ranking states for economic outlook protects employees from compulsory unionism.

Right to Work has a much greater influence on a state’s overall climate for job and income growth than one might expect.

This is partly because, wherever Big Labor is endowed with forced-dues privileges, it funnels a substantial share of the loot extracted from workers into efforts to elect and reelect politicians who support higher taxes, more government spending, and strait-jacket regulation of business.

As *Rich States, Poor States* shows, all of these union boss-favored public policies are negatively correlated with job and income growth and economic health.

## Ideal Is For All Candidates To Oppose Forced Unionism

And while the detrimental impact of forced dues-funded politicians is greatest in Big Labor-dominated states, employees nationwide lose economic opportunities as a consequence of the actions of union-label U.S. congressmen and senators.

Mr. Mix concluded: “Americans find the very idea of compulsory unionism

distasteful.”

“And it has been a disaster in practice. The ideal, therefore, would be for all federal candidates to vow to oppose it in the future, regardless of what their records have been up to now.”

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 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.

“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, the Committee’s job will be to let concerned citizens know about the contrasting positions of their candidates on the forced-unionism issue.

“I’m confident that, if there is a choice between a strongly pro-Right to Work candidate and a compulsory unionism candidate, the pro-Right to Work candidate is in a better position to gain public support.”



Andy Biggs: Scott Luige de Puerto/Arizona Capitol Times



Scott Taylor: WVEC-TV (Norfolk, VA)



Don Bacon: Tom Williams/Zuma Press

Reps. Andy Biggs (R-Ariz., left), Scott Taylor (R-Va., center), and Don Bacon (R-Neb.) all pledged to cosponsor national Right to Work legislation during their successful 2016 campaigns. But so far they haven’t done so. Many of the constituents who helped elect them want to know why.

# Trump NLRB Urged to Help Trapped Workers Escape Biased Regulations Keep Union Monopolists Entrenched For Decades

On April 11, the U.S. Senate voted to confirm President Trump's nomination of attorney John Ring for an open seat on the powerful, five-member National Labor Relations Board (NLRB).

With Mr. Ring seated as NLRB chairman, the NLRB now, it seems, has three members who aren't profoundly biased in favor of forced unionism and may potentially outvote the two remaining members who were appointed by ex-President Barack Obama.

(Both of these Obama holdovers have established track records of support for "reinterpreting" federal labor law to expand union bosses' special privileges.)

Right to Work advocates are hopeful that the NLRB's new majority will seize the opportunity to roll back as many as possible of the power grabs perpetrated by the Obama Board since 2010.

And National Right to Work leaders are also calling upon the Trump NLRB to remove older bureaucratic barriers insulating Big Labor monopolists from dissatisfied workers that are not mandated by any federal labor statute.

## Workers Can't Stop Their Personal Information From Being Disclosed to Big Labor

One of the most outrageous Obama NLRB initiatives to help union bosses corral workers into often unwanted unions is the "ambush election" rule rubber-stamped by the Board in late 2014.

Key provisions in this sweeping overhaul of the procedures through which Big Labor may obtain "exclusive" bargaining control over workers have forced employers to hand over employee phone numbers, e-mail addresses, and work schedules to union bosses within three days after an election is directed.

Employers must disclose to union organizers the personal information of all employees who may be unionized, including even employees who expressly ask their employer not to do so.

The "ambush elections" scheme has also dramatically shortened the time frame individual workers have to gather, evaluate, and share with their coworkers information about the possible downsides of unionization.

To help accomplish this objective, the Obama NLRB imposed regulations giving the green light for unionization elections



Credit: Ron Sachs/Zuma Press

## Under new Chairman John Ring, the NLRB can make it less difficult for workers to dismiss unwanted unions.

to occur even when up to 20% of the workers casting ballots are potentially not part of the bargaining unit.

National Right to Work Committee President Mark Mix commented: "For three years, the Obama NLRB's 'ambush election' rules have been trampling workers' privacy and deepening labor policy's bias in favor of monopolistic unions.

"Now that tunnel-visioned proponents of the collectivization of employees no longer hold a majority on the NLRB, the 'ambush election' rules should be rescinded without delay."

## Monopoly Bargaining Is A Special Privilege

"But far more than mere reversion to the pre-Obama NLRB status quo can and should be done to protect the individual employee's freedom of choice," Mr. Mix declared.

"It is not within the NLRB's power to prohibit union bosses from acquiring and exercising monopoly-bargaining privileges to speak for workers who don't want to join their organization as well as union members on matters concerning pay, benefits, and work rules.


"This special privilege is explicitly authorized in federal labor law. Only Congress can take it away, and Congress should ultimately do that.

"But nothing in the National Labor Relations Act requires that union bosses be allowed to continue wielding monopoly-bargaining control over the employees in a workplace when there is no longer any evidence that most employees want to be unionized."

Mr. Mix cited a 2016 study, published by the Washington, D.C.-based Heritage Foundation, estimating that 94% of American workers currently subject to union monopoly bargaining never got to vote for or against it in a secret-ballot election monitored by the NLRB.

In April, the Committee's sister organization, the National Right to Work Legal Defense Foundation, submitted comments to the NLRB calling upon the agency to require union bosses to furnish evidence periodically that they have the support of the majority of the front-line employees in the workplace.

"If union bosses are unable to furnish such evidence, or refuse to try, the NLRB should terminate their monopoly-bargaining privileges," said Mr. Mix.

"As biased as the federal labor code is against the individual worker who wants to be union-free, nothing in it mandates that monopolistic unions be allowed to remain entrenched, decade after decade, without having to lift a finger." 

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# Government Union Bosses Bankrupting States

## *'We Have the Ability, in a Sense, to Elect Our Own Boss'*

Nearly a decade has passed since the end of the last national recession, and this year real growth of the entire U.S. economy is currently projected by the Congressional Budget Office to surge to 3.3%, or more than in any year since 2005.

In light of this good news, one might expect the fiscal outlook of the 50 states to be improving. Unfortunately, for the most part this simply isn't so.

The fact is, in 2018 a majority of states have balance sheets that, without major reforms, will grow ever more unsustainable even in the unlikely event that the good economic times keep rolling uninterrupted for the next 10 years.

A key reason for pervasive and massive budget shortfalls is that roughly two-thirds of the 50 states legally force government employers, under certain conditions, to negotiate with union officials over public servants' terms of employment.

### Forced-Dues Privileges Wielded to Amass Huge Political War Chests

And under all these statutes, whenever public employers are forced to bargain with a union, they are also forced to grant it "exclusivity."

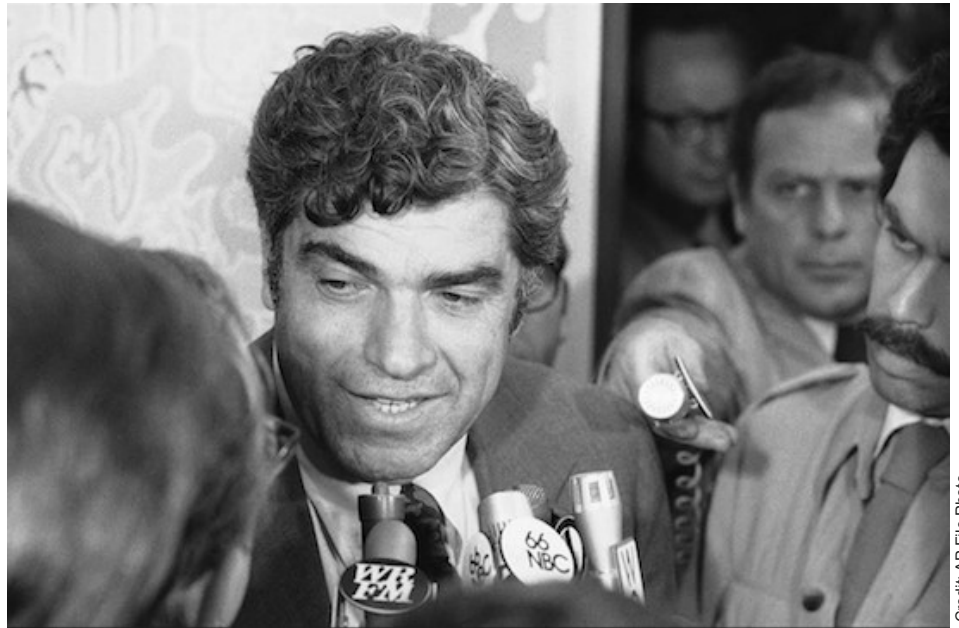
In plain English, exclusivity means Big Labor officials get to codetermine pay, benefits, and work rules for employees who refuse to join the union as well as for those who do.

Meanwhile, in the nearly two dozen states where government-sector forced union dues and fees are still authorized and promoted, union chiefs funnel a large portion of the conscripted money they collect from civil servants into efforts to influence the outcomes of state and local elections.

And the outcomes of those elections often determine who represents the public at the bargaining table.

This corrupt interplay of union monopoly bargaining and Big Labor forced-dues politicking was once cogently capsulized by the late Victor Gotbaum, longtime head of the extraordinarily powerful, Manhattan-based District Council 37 of the American Federation of State County and Municipal Employees.

In a feature article for *New York* magazine, journalist Ken Auletta cited Mr. Gotbaum's observation: "We have the ability, in a sense, to elect our own boss."



Credit: AP File Photo

**Four-and-a-half decades ago, government union boss Victor Gotbaum acknowledged that, in the public sector, Big Labor determines who sits on one side of the bargaining table, and heavily influences who sits on the other.**

"In city after city and state after state, union bosses wield their privilege to force public employees to pay union dues, or be fired, to amass huge war chests, with which they support and oppose candidates for office," explained National Right to Work Committee Vice President Greg Mourad.

### Ten States With Highest Debt Per Capita All Lack Right to Work Protections

Mr. Mourad continued:

"Big Labor thus determines who sits on one side of the bargaining table, and heavily influences who sits on the other. Meanwhile, taxpayers have no seat at all.

"It's been 43 years since Victor Gotbaum made his famous boast, which was also a tacit admission of a terrible conflict of interest.

"But his observation regarding how monopolistic unionism actually works in the public sector is even more pertinent today than when he first uttered it.

"Data published by the federal government and nonpartisan private watchdogs such as the Washington, D.C.-based Tax Foundation," continued Mr. Mourad, "reveal an extremely close correlation between forced financial support for government unions and greater

public indebtedness.

"According to a table appearing in the Tax Foundation's *Facts & Figures 2018*, for example, the 10 states with the greatest absolute state and local debt per capita are New York, Massachusetts, Connecticut, Alaska, Illinois, Washington, New Jersey, Rhode Island, California and Hawaii.


"Not one of these 10 states protects the Right to Work of public employees," said Mr. Mourad.

"On the other hand," he added, "in nine of the 10 states with the lowest state and local debt per capita, public servants may not be fired for refusal to pay dues or fees to a union."

### Union Bigwigs Stoke State And Local Politicians' Fiscal Imprudence

"Excessive spending, taxation and debt are endemic to governments everywhere, but there are large, measurable differences between states that have handed forced-dues privileges to government union bosses, and states that have resisted the pressure," continued Mr. Mourad.

"Big Government is a big enough problem already.

"Why compound the problem with laws that help union bigwigs stoke politicians' fiscal imprudence?" 

# Big Labor Flaunts Disdain For Younger Teachers *But Right to Work Law Bars ‘Forced Dues For Misrepresentation’*

This spring, Kentucky was one of a number of states in which government union bigwigs helped incite some rank-and-file teachers to engage in illegal strikes that shut down K-12 public schools.

Americans overwhelmingly support higher pay for hardworking and effective teachers, and when necessary in order to fill particular teaching positions with qualified individuals.

Of course, these are not the aims of teacher union bosses and the other radicals who collaborated with them to orchestrate the recent school strikes.

In fact, a key objective of the Kentucky job action was to protest a modest, but worthwhile reform of the Bluegrass State’s teacher pension system, which has been grossly unfair to younger teachers as well as to taxpayers.

On April 11, pro-Right to Work Gov. Matt Bevin (R) signed into law S.B.151, which constitutes a good first step towards solvency and equity for a state public pension system that is universally regarded as one of the worst-funded in the country.

## Unless Big Labor Kills Pension Reform, Newly Hired Teachers Will Be Better Off

“Reform for the pension plans covering schoolteachers and other public employees is obviously necessary,” said National Right to Work Committee Vice President Mary King.

“Kentucky faces more than \$62 billion in unfunded pension liabilities over the next few decades. Well over half of that enormous debt is accounted for by teacher pensions.

“Teacher union pensions are underfunded by an estimated \$33 billion even though the state and its districts have more than doubled their contributions into the plan over the past 10 years.

“In the face of this severe crisis, S.B.151 makes no changes to current retiree benefits, and only includes minor changes, mainly concerning how sick leave is calculated in benefit formulas, for current teachers.

“But S.B.151 does require teachers and other public employees hired in the future to put nine percent of their salaries into the pension plan.

“Employers will contribute an additional eight percent.

“Since Kentucky teachers do not pay

Social Security taxes, these changes are not especially onerous. In exchange, future public employees will get back everything they and their employer have contributed, plus 85% of all investment returns, when they retire.”

According to education policy expert and former Obama Administration official Chad Aldeman, thanks to S.B.151 new Kentucky teachers will accrue nearly \$85,000 apiece in retirement savings during their first 10 years on the job, compared to just \$32,000 under the old system.

Of course, S.B.151’s superior retirement benefits for future teachers, plus an estimated \$300 million in unfunded liability reduction, will never materialize if Organized Labor succeeds in killing this reform in the cradle.

## Union-Label Attorney General Suing to Overturn S.B.151 at Big Labor Bosses’ Behest

Even as union militants protested S.B.151 in the streets this spring, Kentucky Attorney General Andy Beshear (D) did union bigwigs’ bidding by initiating a lawsuit against the governor and legislative leaders of his own state to prevent the law from taking effect.

Teacher and police union bosses joined in the legal challenge.

Going all-out to perpetuate unaffordable pension systems benefiting a minority of teachers at the expense of the rest is just one way the union bosses who

wield monopoly-bargaining power over thousands of teachers in Kentucky and millions of teachers nationwide damage our schools.

## Teacher Union-Boss Rules ‘Do Nothing To Address The Needs of Students’


Ms. King explained:

“As *Wall Street Journal* editor Jason Riley recently noted, teacher union chiefs support work rules that ‘shield teachers from meaningful evaluations, and that require instructors to be laid off based on seniority instead of performance.’

“Mr. Riley added that such work rules ‘do nothing to address the needs of students.’ He’s absolutely right.

“And he could have gone on to say, with equal accuracy, that the counterproductive work rules government union bosses foist on schools using their monopoly-bargaining privileges and/or their political clout do nothing to address the needs of conscientious and talented teachers.

“But at least there is a silver lining in Kentucky and the 27 other states that have Right to Work laws on the books prohibiting forced union dues and fees as a condition of employment:

“Thanks to Kentucky’s Right to Work statute, adopted just a year and a half ago, union bosses are explicitly barred from extracting ‘forced dues for misrepresentation’ out of the pockets of educators and other employees.” 



As *Wall Street Journal* editor Jason Riley recently noted, teacher union chiefs support work rules that “shield teachers from meaningful evaluations, and that require instructors to be laid off based on seniority instead of performance.”

# Right to Work Tax Freedom Day Comes Sooner

## *Higher Living Costs Exacerbate Forced-Unionism Tax Disadvantage*

On April 19, according to the nonpartisan, Washington, D.C.-based Tax Foundation, “Tax Freedom Day” (TFD) 2018 finally arrived.

The Tax Foundation’s entire analysis is available at [www.taxfoundation.org](http://www.taxfoundation.org) -- the group’s website.

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.”

TFD “takes all federal, state and local taxes and divides them by the nation’s income.”

According to the Tax Foundation’s current estimate, this year Americans will pay “\$3.39 trillion in federal taxes and \$1.80 trillion in state and local taxes, for a total tax bill of \$5.19 trillion . . . .” That amounts to nearly 30% of all of the nation’s income.

### **Right to Work State Residents To Receive Nearly Two Extra Weeks of Take-Home Pay**

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 the progressivity of the federal tax system.”

Hours after the Tax Foundation issued its report on TFD 2018, the National Institute for Labor Relations Research calculated average TFD’s for the 28 Right to Work states (excluding Missouri, whose 15-month-old law banning forced union dues and fees has not yet taken effect due to Big Labor obstruction) and the 22 forced-unionism states.

To derive average TFD’s for states where compulsory union dues are either permitted or prohibited, the Institute took aggregate state personal income data for 2017 as reported by the U.S. Commerce Department and the estimated 2018 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 31.6% of their total personal income in taxes, a 13% higher share than the Right to Work state average.

TFD in compulsory-unionism states as a group didn’t come until April 26 this

year.

In contrast, TFD in Right to Work states as a group came on April 13, or nearly two weeks earlier than the forced-unionism average.

### **Cost of Living-Adjusted Disposable Incomes Higher In Right to Work States**

National Right to Work Committee Vice President Matthew Leen commented:

“TFD consistently 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 earlier this year, interstate cost-of-living indices calculated by the Missouri Economic Research and Information Center show that on average forced-unionism states were nearly 29% more expensive to live in than Right to Work states in 2017.

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.

### **Households in High-Cost Big Labor Stronghold States ‘Get Socked Twice’**

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 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 freedom-loving employees and business owners who are directly affected. 🇺🇸



**Committee Vice President Matthew Leen (shown here testifying in support of New Hampshire Right to Work legislation): Forced-dues state residents fork over more for housing, energy, food, and health care.**

Credit: NRTWC

# Is Big Labor Bosses' Jig Up?

Continued from page 8

with the nationwide network of tens of thousands of paid union officials that Big Labor has at its disposal due to compulsory unionism.

This political army, according to Mr. LaMarche, has "for decades" been "a key pillar of [electoral] support for progressives." At the same time, Big Labor's vast, forced dues-stocked treasuries have been and are a "significant funder" of the "progressive infrastructure."

Janus, he warns, targets the "top" source "of progressive strength" in the U.S.

## All Janus Would Directly Do Is Make Government Sector Unionism Voluntary

"There's no doubt," commented Mr. Mix, "that union bosses depend on their government-granted forced-dues powers to maintain and extend their political influence and fund their ideological allies.

"If the Supreme Court agrees with Mark Janus when it issues its ruling on his case, governments at all levels will have to give their employees a choice about whether or not they pay union dues or fees.

"Union officials are mortified that a large share of the estimated five to six million public workers across the U.S. who are currently forced to bankroll a union as a job condition will cease paying for any union activities.

"It's safe to assume Big Labor's inordinate power over the American political system will be reined in substantially if government-sector unionism becomes voluntary in the roughly two dozen states where it is still compulsory today.

"But even if Janus goes as badly for AFSCME and other government union bosses as Naomi Walker fears, the fact is that Big Labor will continue to wield an array of legal privileges not enjoyed by any other special interest group."

## Monopoly Bargaining Itself Puts the Worker 'Under Powerful Compulsion to Join'


"Most critically," continued Mr. Mix, "Janus will leave in place federal and state statutes forcing private-sector and public-sector employees to accept the officers of one union as their monopoly-bargaining agents on workplace matters, including pay, benefits, and work rules.

"As then - AFL-CIO Associate General Counsel Thomas Harris bluntly acknowledged back in 1962, even when they don't have forced-dues power, union officials can use their monopoly-bargaining privileges to herd more workers under their control.

"The fact that the union will negotiate the contract which regulates the incidents

of [a worker's] industrial life puts him under powerful compulsion to join the union . . .," Mr. Harris correctly observed.

"Janus may, I hope and pray, terminate forced-dues extractions from public servants, but it cannot prohibit union monopoly bargaining in government workplaces.

"Along with ending forced union dues in the private sector, ending monopolistic government unionism is a fight that lies ahead for Right to Work Committee members. And both these fights are likely to be arduous." 



If the Supreme Court rules for Mark Janus and his Right to Work-led legal team, union financial support will become voluntary for millions of currently forced dues-paying public servants -- and Big Labor will howl!

# ‘Progressive Infrastructure’ Will ‘Crumble’?

## *Big Labor-Backed Political Activists Anxiously Await Janus Ruling*

Soon after this Newsletter edition goes to press, the U.S. Supreme Court is expected to decide whether government union bosses and politicians violate the First Amendment when they force a civil servant to bankroll a union he or she would never join voluntarily as a condition of employment.

To Mark Janus, the National Right to Work Legal Defense Foundation-assisted plaintiff in *Janus v. AFSCME Council 31*, and the many freedom-loving Americans who are following his case, it is, first and foremost, about individual freedom.

But to union bosses and the array of leftist activists and activist groups that they back with money coming out of their forced dues-stocked treasuries, it is, in the words of Big Labor-allied academic Joseph McMartin, a “dagger pointed at the heart” of government unions.

### **Union Officials’ Predictions About *Janus* Impact Belie Their Legal Arguments**

Mark Mix, the president of both the Foundation and the National Right to Work Committee, commented:

“Four decades ago, when it first considered a Right to Work Foundation-backed challenge to the constitutionality of government-sector forced unionism, the Supreme Court tried to ‘split the baby’ with regard to civil servants’ First Amendment rights.

“Writing for the Court in 1977’s *Abood v. Detroit Board of Education*, Justice Potter Stewart declared that forcing public employees to bankroll, as a condition of employment, union advocacy on workplace matters with which they disagree is constitutional.

“But forcing such workers to bankroll union political advocacy regarding non-workplace matters isn’t constitutional, added the Justice.

“The faux distinction the *Abood* Court attempted to draw between constitutionally protected and unprotected speech was and remains illogical.

“And now union officials’ own claims about what will happen if the High Court overturns *Abood* and prohibits all government-sector forced union dues and fees, as Mark Janus and his Foundation and other attorneys are asking it to do, show even Big Labor doesn’t really think the *Abood* distinction is valid.

“Union officials’ predictions about what will happen if Mr. Janus prevails fly



Credit: Chronicle of Philanthropy

The so-called “Democracy Alliance,” headed by Gara LaMarche, has invested roughly half-a-billion dollars into leftist politics since 2005. But this outfit’s political clout is dwarfed by that of Big Labor’s forced-dues machine.

in the face of union lawyers’ court claims that the forced fees dissenting workers fork over to keep their jobs are completely unrelated to Big Labor political spending and lobbying.”

### **Leftist ‘Advocacy’ Groups Dependent on Forced Union Dues-Derived ‘Resources’**

Mr. Mix cited the example of Naomi Walker, currently the assistant to Lee Saunders, president of the mammoth American Federation of State, County and Municipal Employees (AFSCME), which is the parent of the respondent union in *Janus*.

Ms. Walker, who previously served in the Obama Administration as, in her own words, a “liaison between the [U.S.] Department of Labor and the [organized] labor movement,” has openly worried that *Janus* could undermine proponents of higher taxes and more government spending.

Writing for the far-left publication *In These Times* last spring, Ms. Walker emphatically stated that a Supreme Court victory for Mark Janus would have serious repercussions for a wide array of Big Government supporters:

“The progressive infrastructure in this country, from think tanks to advocacy organizations -- which depends on the

[forced dues-derived] resources and engagement of . . . unions -- will crumble.”

### **Head of ‘the Left’s Secret Club’: *Janus* a Dire Threat To ‘Progressive Strength’**

Mr. Mix noted that a number of radical political activists outside the Organized Labor hierarchy have publicly expressed similar fears about what will happen if the Supreme Court sides with Mark Janus.

Gara LaMarche, the president of the so-called “Democracy Alliance,” or DA, once aptly characterized as “the left’s secret club” in a *Politico* headline, has been especially outspoken.

Though the DA has relatively few members (or “partners,” as it calls them), it is a major force in support of hard-left politicians like U.S. Sen. Elizabeth Warren (D-Mass.) and New York Mayor Bill de Blasio (D).

The reason is that DA partners include activist billionaires like George Soros, Donald Sussman, and Tom Steyer, as well as multi-millionaire trial lawyers like Amber Mostyn.

But Mr. LaMarche and other DA officers are fully aware of the fact that, despite all the wealth to which their organization has access, it can’t compete

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