



# NATIONAL RIGHT TO WORK NEWSLETTER

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## Union Dons Defiantly Cling to Coercive Power *Attempt to Undermine High Court Decision by Deceiving Workers*

Last June, the U.S. Supreme Court decided that government employers across the country may not deduct union dues or fees from employees' paychecks unless the employees "clearly and affirmatively consent before any money is taken from them . . . ."

So declared Justice Samuel Alito in his court opinion in *Janus v. American Federation of State, County and Municipal Employees Council 31*, a case argued and won on behalf of independent-minded Illinois civil servant Mark Janus by National Right to Work Legal Defense Foundation attorney Bill Messenger.

### Union Bosses Face Potential Loss of Billions of Dollars

Governments that siphon money out of employee paychecks and funnel it to union bosses without the employee's clear and affirmative consent violate the First Amendment, affirmed the *Janus* court.

At the time the *Janus* ruling came down, the labor laws of 24 states either explicitly authorized or tolerated the extraction of forced union dues and fees from employees as a condition of working for the taxpayer.

Now, thanks to this decision, government union bosses face the potential annual loss of hundreds of millions or even billions of dollars in coerced union dues and fees.

### Government Union Chiefs Keep Seizing Dues From Employees Who Have Resigned

Unfortunately, roughly seven months after the *Janus* decision was announced, government union chiefs in state after



**Right to Work President Mark Mix: "Without so-called 'exclusive representation' power, Big Labor won't be able to continue getting union dues deducted from any employee's paycheck without having his or her affirmative, ongoing consent."**

state are defying the Supreme Court and continuing to seize forced dues from public employees after they've resigned from the union.

"It now appears that comprehensive implementation of *Janus* may require state legislation that abolishes union monopoly bargaining in the government sector," said National Right to Work Committee and Foundation President Mark Mix.

"Without so-called 'exclusive representation' power, Big Labor won't be able to continue getting union dues deducted from any employee's paycheck without having his or her affirmative, ongoing consent."

Of course, most incumbent politicians in Big Labor stronghold states like New Jersey are not the least bit interested in

ensuring that public servants are able to exercise their constitutional rights under *Janus*.

### 'Pay If You Join, Pay If You Don't Join'

Indeed, last May, in a preemptive bid to blunt the impact of *Janus*, Garden State politicians enacted a law that is plainly designed to make it as difficult as possible for government workers who are currently union members, but no longer wish to be, to quit and cease financially supporting Big Labor.

The freedom of speech of New Jersey educators like Susan Garra Fischer and Jeanette Speck has been trampled

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# Clinging to Coercive Power

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by union-label legislators' cynically mislabeled "Workplace Democracy Enhancement Act."

Ms. Fischer and Ms. Speck are both employed as public school teachers in Monmouth County, N.J.

Neither of them ever wanted to join or bankroll the highly political New Jersey Education Association (NJEA) union, which is a subsidiary of the mammoth National Education Association (NEA) union.

But both became NJEA members at the time they were hired, because, even if they hadn't, they would have been forced to pay fees that were nearly as high as full union dues anyway.

In a recent interview with Laura Walters of *NJ Left Behind*, Ms. Fischer commented: "I grew up in Italy. There, we call this 'extortion.' Pay if you join, pay if you don't join. There's no choice."

## 'When the [Janus Ruling] Came Out . . . We Were Ecstatic! Now We Have a Choice!'

Over the course of her 30 years as an Italian teacher in New Jersey public schools, Ms. Fischer estimates that she has involuntarily ceded \$30,000 from her hard-earned salary to national, state and local government union bosses.

What angers her the most is the \$800 per year she has been forced to fork over to the NJEA union: "[T]hat's highway robbery! NJEA does nothing for us, even though they get the biggest chunk out of my paycheck."

Ms. Fischer and other freedom-loving teachers couldn't have been more pleased when they found out about the *Janus* outcome last summer:

"We were ecstatic! Now we have a choice! I read all 82 pages of *Janus* twice."

But Ms. Fischer and Ms. Speck (a civics teacher), who both thought their days of being forced to bankroll government unionism were finally over, were soon to be disappointed.

As a consequence of the *Janus* countermeasure signed by Gov. Phil Murphy last spring, they and other K-12 school staff, as well as other state and local government employees, may only cut off their financial support for a union during a 10-day window out of the entire year.

In September 2018, Ms. Fischer and Ms. Speck were still being forced to pay

union dues as a job condition, even though they had submitted their resignations roughly two months earlier.

Last November, with free legal help from Mr. Messenger and other Foundation attorneys, Ms. Fischer and Ms. Speck filed a federal class action complaint against Mr. Murphy and officials of the NJEA and its Ocean Township subsidiary.

## Over Time, Right to Work Litigation Will Surely Foster Better Janus Compliance

One of the educators' goals is to get back the forced union dues that were seized from them after *Janus* and after they had provided notice to union bosses and school officials that they did not consent to having any more money for the NJEA/NEA empire siphoned out of their paychecks.

Another goal is to permanently enjoin the State of New Jersey from maintaining and enforcing the provisions in the so-called "Workplace Democracy Enhancement Act" that bar civil servants from exercising their right not to pay money to a union they don't want for 355 or 356 days out of each year.

Mr. Mix commented:

"Thank goodness for Susan Fischer and Jeanette Speck and the other public servants in state after state who are willing to go to court to fight for their own rights and the rights of their fellow employees, and for the dedicated and talented Right

to Work attorneys who are assisting them.

"Over the next year or two, litigation like *Fischer v. Murphy* will surely make elected officials and bureaucrats far more reluctant to abet *Janus* circumvention by government union bosses."

## Justice Alito: 'Exclusivity' Substantially 'Restricts the Rights of Individual Employees'

"Up to now," Mr. Mix acknowledged, "Big Labor has undoubtedly been able, with politicians' and bureaucrats' connivance, to deceive many government workers who want to exercise their *Janus* rights into thinking they will have to wait additional months or even years before they can do so.

"As the efforts of Foundation attorneys and employees who treasure their Right to Work expose the hollowness of government union bosses' claims, more and more unionized civil servants in state after state are bound to take advantage of their now-recognized freedom to refuse to bankroll Big Labor.

"However, public employees who don't want a union will continue to be pressured to join as long as state laws handing union bosses monopoly power to negotiate their pay, benefits, and work rules remain in place.

"Justice Alito's *Janus* opinion acknowledges such 'exclusivity' substantially 'restricts the rights of individual employees,' but the *Janus* majority did not do anything about it.

"Fortunately, state lawmakers clearly do have the constitutional authority to ban all union monopoly bargaining in public workplaces." 🔔



New Jersey Italian teacher Susan Fischer: I "can't support" the NEA union or its subsidiaries. "And . . . I have the right to choose! Until [Gov. Phil] Murphy signed that law. Now that right is taken away from me."

Credit: NJTV (WNET)

# Pro-Right to Work Nevadans Gird For Battle

## *Compulsory Unionism the 'Last Thing' Nevada Employees Need*

As union insider Brian Young correctly pointed out in a post-election wrap-up commentary last November, it is “largely thanks to the work of the Culinary Workers” union hierarchy that Democrat politicians will control the governorship and both chambers of the Legislature in Right to Work Nevada this year.

The Las Vegas-based Culinary Workers union, otherwise known as UNITE HERE Local 226, boasts of an electioneering field program “unmatched by any other in the country.”

But union operatives and their favored Nevada politicians said remarkably little in 2018 about what UNITE HERE bigwigs expected to get in return for their investment.

### **Steve Sisolak: ‘Premature’ to Discuss Right to Work Plans Until After Election Day!**

Even as they gratefully accepted massive “in-kind” and cash support from Big Labor’s machine, incoming Gov. Steve Sisolak and his fellow Democrat politicians running for Nevada Assembly and Senate seats dodged questions about whether they would target Nevada’s six-and-a-half decade-old Right to Work Law.

This statute simply protects employees from being fired for refusal to join or bankroll an unwanted union.

At a September 6 campaign event in Las Vegas, when directly asked if he would try to reinstate forced union dues and fees in Nevada if he was elected, Mr. Sisolak said: “I think it’s premature to talk about that at this point.”

National Right to Work Committee Vice President John Kalb commented: “Steve Sisolak insisted it was ‘premature’ to discuss his Right to Work plans until after Election Day, because he knew those plans wouldn’t be popular with Nevada voters.

“Indeed, a recent scientific statewide poll, conducted by SurveyUSA for the National Institute for Labor Relations Research, found that a four-to-one majority of registered voters (67% to 16%) favor keeping their Right to Work law on the books.”

As SurveyUSA pointed out in its summary of the poll’s findings, Right to Work “is supported by a majority of every demographic sub-population,” including Republicans and Democrats, men and women, and Nevadans under 50 and over



Credit: Bizuayehu Teesfaye/Las Vegas Review-Journal

**Unless Nevada voters voice their opposition at once, union boss-aligned lawmakers in Carson City may soon send a Right to Work destruction scheme to Gov. Steve Sisolak’s desk, and he may sign it.**

50.

Members of union households support Right to Work by a three-to-one margin.

### **Overwhelming Public Support Alone Won’t Suffice to Save Nevadans’ Right to Work**

Unfortunately, long experience shows that, all too often, politicians worry about the public’s overwhelming support for the Right to Work principle more when they are in the middle of a hotly contested campaign than they do after they are safely elected.

During the legislative session that will begin a few weeks after this Newsletter edition goes to press in early January, Committee leaders anticipate an all-out push by Culinary Workers union bosses to eviscerate or flat-out eliminate Right to Work protections in Nevada.

“It’s a fact that union boss-allied lawmakers and the governor did not campaign on such legislation, and it’s a fact that Nevadans lopsidedly oppose it,” said Mr. Kalb.

“But these facts will not suffice to prevent a forced-unionism power grab from being sent to Gov. Sisolak’s desk and signed, unless Nevada voters voice their opposition at once.

“That’s why, in early January, local grassroots activists began mobilizing,

with the Committee’s assistance, people from all walks of life to contact their elected officials and urge them to side with the four-to-one majority of Nevadans who want to keep unionism voluntary, not compulsory.”

### **In Nevada, Ex-Californians Can ‘Live the Middle-Class Life’ That Eluded Them**

It is undeniable there is a mountain of evidence showing that Right to Work is associated with a lower cost of living, higher living standards, and faster job and income growth.

That’s why, according to U.S. Census Bureau data, the number of Nevada residents in their peak-earning years (ages 35-54) *rose* by 55,000 from 2007 to 2017, even as the total peak-earning-year population of neighboring forced-unionism California *fell* by 152,000.

As Los Angeles *Times* columnist Steve Lopez admitted in late 2017, thousands and thousands of former natives of the Golden State are moving to Nevada each year so they can “live the middle-class life that eludes them in California.”

“The last thing Nevada needs,” said Mr. Kalb, “is to replicate the very pro-union monopoly policies that are driving working people and their families out of California.” 📌

# ‘Billing Taxpayers For Union Work Is Our Right’ So-Called ‘Official Time’ Negatively Affects Patient Care

Less than a week after Donald Trump was elected as America’s 45th President, National Right to Work Committee leaders urged him to use his executive power to curtail union bosses’ ability to conduct union business while billing taxpayers for their time and expenses.

And last year, a presidential executive order (E.O.13837) and subsequent implementation of regulations addressed this abusive practice, commonly known as “official time,” in federal workplaces.

According to the White House’s Office of Personnel Management, in 2016 federal employees racked up a total of 3.6 million official time hours during which they were paid by taxpayers to represent a government union rather than carry out the missions of their agencies.

E.O.13837 aims to lessen the anti-taxpayer impact of official time by prohibiting government managers from allowing union bosses to use federal property for free, and prohibiting the use of official time to file union grievances against federal employers.

## ‘We Hire Medical Professionals to Take Care of Veterans’

Last summer, a district judge largely upheld a complaint filed by federal union bosses against E.O.13837, striking down most of its key provisions. The Trump Administration’s appeal of this decision is still pending.

Even as this legal battle unfolds, several U.S. government agencies are doing their part to ensure federal employees work for



Credit: VA.GOV

**Veterans Affairs human resources officer Jacquelyn Hayes-Byrd: Union “official time” harms sick veterans.**

the taxpayer, not Big Labor.

For example, on November 8, the Department of Veterans Affairs (VA) announced it would move “nearly 430 medical professionals from taxpayer-funded union work back to health care jobs serving veterans.”

Jacquelyn Hayes-Byrd, the VA’s acting assistant secretary for human resources, cogently explained why agency executives were repudiating the sweet deal federal union bosses had foisted on them to allow union activist VA doctors and nurses to collect their full salaries even if they don’t care for a single patient:

“[W]hen we hire medical professionals to take care of veterans, that’s what they should do at all times. No excuses, no exceptions.”

As Ms. Hayes-Byrd also noted, it’s just

“common sense” that allowing “health-care workers to do taxpayer-funded union work instead of serving veterans” has a negative impact on patient care.

Despite the statute’s generally strong bias in favor of Big Labor, the so-called “Civil Service Reform Act” (CSRA) of 1978 clearly gives agencies like the VA the authority to put “reasonable” limits on union official time.

Given the well-publicized long waits thousands and thousands of sick and injured veterans have endured in recent years before they could get medical care at the VA, it is hard to see how anyone could claim the VA’s recent move to curtail official time is “unreasonable.”

## Union Officials Advance ‘Absurd Legal Argument’

That’s why, it seems, on November 28 top federal union bosses filed a lawsuit in the U.S. District Court for the District of Columbia that dares to claim the curtailment of official time initiated by the VA a few weeks earlier violates the First Amendment!

National Right to Work Committee President Mark Mix commented:

“The absurd legal argument now being advanced by lawyers for the National Federation of Federal Employees and the American Federation of Government Employees unions boils down to this: ‘Billing taxpayers for union work is our First Amendment right.’

“Fortunately, this argument is highly unlikely to prevail.

“A decade ago, in *Ysursa v. Pocatello Education Association*, the U.S. Supreme Court categorically stated that government entities are ‘not required to assist others in funding the expression of particular ideas.’

“The modest reform implemented by the VA late last year is, therefore, likely to stand for the time being.

“But a far more sweeping solution is needed to end official time and other abuses perpetrated against federal taxpayers by government union bosses. To achieve this goal, repeal of the CSRA itself is essential.

“Effectively, the Jimmy Carter-signed CSRA makes power-mad federal union bosses like AFGE President J. David Cox co-managers over hundreds of thousands of civil service employees.

“The sooner it’s gone, the better.”

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# Public-Safety Employees' Freedom Under Fire

## *Will D.C. Politicians Override State Public Sector Labor Laws?*

Ever since he assumed control over the International Association of Firefighters (IAFF) union nearly two decades ago, Harold Schaitberger has battled to ram through Congress legislation federally mandating union monopoly-bargaining control over state and local public-safety employees nationwide.

But so far, despite the fact that Mr. Schaitberger and his lieutenants have, without a doubt, successfully exploited their state government-granted monopoly-bargaining privileges to build an extremely powerful electioneering and lobbying machine, the IAFF union hierarchy has yet to achieve its goal.

The key reason for IAFF bosses' failure to pull off their power grab yet is opposition from well-mobilized National Right to Work Committee members.

In early 2009, at the outset of the presidency of relentless forced-unionism advocate Barack Obama, passage of IAFF bosses' so-called "Public Safety Employer-Employee Cooperation Act" seemed, to almost everyone, inevitable.

### **Police, Firefighters Would Be Dragooned Into Unions**

In December of the following year, then-Senate Majority Leader Harry Reid (D-Nev.) filed a cloture motion to pave the way for final passage of S.3991, a version of the IAFF scheme he had personally introduced.

It would have denied localities in all 50 states the option to refuse to grant a single union the power to speak for all front-line employees, including those who don't want to join, in discussions with their employer regarding most conditions of employment.

Union monopoly bargaining would have been foisted on firefighters, police, and other public-safety employees nationwide. And in most states that already authorize public-safety monopoly bargaining, S.3991 would have widened its scope.

But S.3991 stalled in the face of the fierce resistance of Committee members and supporters, who time and again flooded Capitol Hill with letters, postcards, petitions, emails, faxes and phone calls calling on Congress not to federalize public-safety monopoly bargaining.

This was a bitter defeat for Mr. Schaitberger.

In 2019, IAFF kingpins are ready to try



Credit: Gage Skidmore

**With dyed-in-the-wool Big Labor House Speaker Nancy Pelosi once again calling the shots, IAFF union bosses may confidently anticipate they will not have much trouble getting their agenda through the House this year.**

again.

With dyed-in-the-wool Big Labor Rep. Nancy Pelosi (D-Calif.) once again calling the shots as speaker, they may confidently anticipate they will not have much trouble getting a 2019 edition of the 2010 Reid bill through the House of Representatives.

In the Senate, IAFF and other government union bosses will attempt, through raw political intimidation, to browbeat enough Republicans to go along with union-label Democrats to ensure congressional passage of a federal public-safety monopoly-bargaining mandate.

### **Pervasive Government Sector Unionization Linked to Insolvency**

"Some time early this year," predicted Committee Vice President Greg Mourad, "anti-Right to Work Congressman Daniel Kildee [D-Mich.] will introduce a measure that is identical, or nearly identical, to H.R.4846, which he sponsored during the 2017-18 Congress.

"Mr. Kildee's pet legislation would force countless state and local policemen, firefighters and EMT's to accept as their monopoly-bargaining agent a union they never voted for, and want nothing to do with.

"It would also constitute a major step towards Big Labor's decades-old goal of enacting a federal law that hands union bosses monopoly control over front-line state and local employees of all types,

including teachers, across America.

"And it would have horrible fiscal ramifications.

"There is a strong correlation between the share of a state's public employees who are subject to union rule and its indebtedness."

Mr. Mourad cited "Unaccountable and Unaffordable," an analysis of state pension plans for the American Legislative Exchange Council (ALEC) that was most recently updated in December 2017.

The data cited by ALEC shows that the seven states with the least responsibly managed state pension systems have an average per capita unfunded pension liability of \$30,398, or nearly \$12,000 above the national average.

In these seven states, as a group, roughly 52% of public employees are under a union monopoly, compared to 38% nationwide.

Meanwhile, the seven states with the best-managed state pension systems have an average per capita unfunded pension liability of \$10,129, or more than \$8,400 below the national average. In these seven states, as a group, roughly 23% of public employees are unionized.

Mr. Mourad vowed that Right to Work members and supporters would go all out in 2019 to block passage of the Kildee bill:

"By mobilizing freedom-loving citizens across America, the Committee can once again muster the Capitol Hill support we need to save America from federally mandated union monopoly bargaining." 📣

# ‘We’re Not About Improving the System’

## *Empire State K-12 School Costs Soar Even as Enrollment Plummets*

“We’re not about improving the [government school] system . . .”

With these words, New York City Schools Chancellor Richard Carranza, an appointee of union-label Mayor Bill de Blasio, declared, in an appearance at Al Sharpton’s National Action Network headquarters, that helping schoolchildren succeed is not his goal.

And he is now proving the point.

This winter, Mr. Carranza is joining with government union officials and other allies in the Empire State to sway politicians in Albany to jack up state taxpayer-provided funding for K-12 public schools by a hefty \$2.2 billion for the 2019-20 academic year.

If the Big Labor-backed plan is approved, next year state aid for government schools will increase by roughly 8%, or nearly four times the projected rate of inflation as measured by the consumer price index.

As of 2016, the latest year for which comparable data are available, nominal per pupil expenditures in forced-unionism New York were already, at \$22,316, the highest in the nation, and 90% above the U.S. average.

### **Since 1999-2000 School Year, State’s K-12 Enrollment Has Fallen by 250,000**

According to the Missouri Economic Research and Information Center, a state government agency, prices for all goods and services in 2016 were on average more than 35% higher in New York state than in the U.S. as a whole. New York taxpayers’ extraordinarily high costs for public education partly reflect the fact that the state is expensive to live in, period.

But even with interstate differences in living costs factored in, the per pupil cost of government schools in New York was still 40% higher than the national average!

In recent years, the heavy burden of government-school costs on New York taxpayers has grown rapidly even as the number of schoolchildren has plummeted.

Between the 1999-2000 and the 2016-17 school years, enrollment in New York’s K-12 and pre-K district and charter schools fell by more than 250,000, or 10%, as families sought better economic opportunities elsewhere, most often in Right to Work states.

Meanwhile, school enrollment nationally rose by 7%.

National Right to Work Committee Vice President Mary King commented: “With New York’s school-aged population declining, year after year, one might at least hope that the amount of money the state’s taxpayers have to fork over for elementary and secondary education would level off.

“But per pupil expenditures have grown so rapidly that the bill for government schools continues to mount even as the number of schoolchildren falls.”

### **State ‘Spends a Great Deal For Mediocre Performance’**

For all the money forced-unionism New York spends on public education, the state’s educational outcomes, after controlling for student demographics, rank below the national average, according to a recent published analysis by economist Stan Liebowitz and researcher Matthew Kelly.

And New York’s educational outcomes rank far below those of Right to Work states like Virginia, Florida and Texas. The Liebowitz/Kelly study concludes that Big Labor-dominated states like New York spend “a great deal for mediocre performance . . .”

Ms. King explained:

“For years, union dons have wielded their monopoly-bargaining power and their forced dues-fueled political clout to

block reforms, including higher pay for superior teachers and no automatic pay increases for subpar teachers, that could help New York schools achieve better results at a reasonable cost.

“All the while, politicians like Richard Carranza have successfully pushed for an array of new and costly ‘education’ programs that, in the words of *City Journal* editor Bob McManus, ‘degrade’ New York’s relatively good schools ‘while doing virtually nothing to make the bad ones better.’”

The failure of New York’s education establishment to make even remotely effective use of the vast resources it already has is widely recognized by the public, and this could make it difficult for union bosses and their cohorts to get the additional billions they want for the 2019-2020 school year.

### **‘Additional Billions Are Clearly Not the Solution’ For Big Apple School Ills**

As this Newsletter edition is written, even Gov. Andrew Cuomo, who normally toes union monopolists’ line, is resisting.

“Additional billions are clearly not the solution for what ails New York schools,” said Ms. King.

“Any genuine solution must begin with curtailing government union chiefs’ special privileges.” 📧



**New York City Schools Chancellor Richard Carranza (left), an appointee of union-label Big Apple Mayor Bill de Blasio, openly admits that helping schoolchildren succeed is not his goal.**

Credit: Office of the Mayor

# Unsustainable Union Coercion

Continued from page 8

Labor-ruled states actually compounds and recurs, year after year.

The accumulated net loss from 2010 to 2020, including income reported by taxpayers in all years subsequent to their migration, cannot be calculated, but will very likely be at least four times higher than what the IRS data reveal.

## Power to Withhold Union Dues From Big Labor Critical For Workers

State Right to Work laws protect employees' freedom to refuse to pay dues or fees to an unwanted union. Wherever employees lack this freedom, union bosses have little incentive to tone down their class warfare in the workplace.

Employees are consequently far less likely to reach their full productive potential.

"Compulsory unionism is wrong, plain and simple," affirmed Mr. Mix.

"It is also an economic albatross for America as a whole as our nation strives at last to emerge from more than a decade of recession and sluggish growth."

Mr. Mix explained that, while states that fail to shield employees from federal pro-forced unionism policies are harmed most of all, the entire country suffers severe damage:

"The union-label politicians who regularly get elected and reelected because of Big Labor's forced dues-funded support overwhelmingly favor higher taxes and more red-tape regulation of business.

"This is true at the federal, state and local levels. Private-sector job growth in all 50 states, including Right to Work states, is hindered by the actions of Big Labor politicians."

## Big Labor Stronghold States Stand on the Brink Of Fiscal Catastrophe

"Meanwhile," Mr. Mix continued, "a number of the states with the highest shares of their employees subject to monopolistic unionism now stand on the brink of fiscal catastrophe."

He cited the example of once-prosperous New Jersey, where nearly two-thirds of government workers today are under union monopoly-bargaining control:

"According to state Senate President

Steve Sweeney [Gloucester], who himself is an active ironworkers union boss as well as a public officeholder, New Jersey faces at least \$222 billion in long-term government pension and unfunded post-retirement medical liabilities.

"And over just the next four years, Mr. Sweeney declares, the amount of taxpayer money that's required to be paid annually into the government worker pension system will more than double, from \$3.2 billion to \$6.6 billion.

"This is money New Jersey simply doesn't have."

## 'Before It Runs Out of Taxpayers, New Jersey Will Have to Change Course'

Big Labor Garden State politicians like current Gov. Phil Murphy have tried again and again to replenish government coffers by hiking taxes ever higher, but such maneuvers only succeed in driving away additional taxpayers, as the IRS's SOI data show.

"Before it runs out of taxpayers, New Jersey will have to face the facts and change course," reasoned Mr. Mix.

"And one reform that is absolutely indispensable for a return to solvency is enactment of a Right to Work law prohibiting the termination of employees for refusal to join or pay dues or fees to an unwanted union.

"Decades of experience show that it is effectively impossible to break the cycle of ever higher taxes and government spending as long as a state's Big Government politicians continue being propped up by the forced dues-fueled union political machine.

"In fact, according to the most recent analysis conducted by the nonpartisan, Washington, D.C.-based Tax Foundation, state and local taxes combined consume a 25% higher share of personal income in jurisdictions where the Right to Work is not protected.

"Today, it may seem like the political opposition to Right to Work in union boss-controlled states like New Jersey is insurmountable. But New York, Illinois and New Jersey can't continue hemorrhaging taxpayers forever.

"Before too many more years go by, it will become apparent that the Right to Work is inevitable." 🔔



Big Labor Garden State politicians like current Gov. Phil Murphy (at the podium) have tried to replenish government coffers by hiking taxes ever higher, but such maneuvers only succeed in driving away additional taxpayers.

# Forced-Dues States Face Mounting Income Losses

## *Day Is Coming When Big Labor Politicians Must ‘Face the Facts’*

For decades, hardworking taxpayers have been fleeing slow-growth states that permit the firing of employees for refusal to bankroll an unwanted union and relocating in faster-growth Right to Work states, where such firings are impermissible.

Considered as a group, the 23 states that still lack Right to Work laws are now on track to lose roughly \$200 billion in income to domestic out-migration from 2010 to 2020, or 30% more (in constant dollars) than they lost from 2000 to 2010.

“What will it take,” asked National Right to Work Committee President Mark Mix, “to convince elected officials in forced-unionism states that are economically torpid or unaffordable, or both, that their current policies governing labor relations aren’t working, and need to be changed?”

### **From 2015 to 2016, a Net Total Of Nearly 180,000 Taxpayers Moved to Right to Work States**

“If nothing else shakes the complacency of Big Labor politicians who don’t seem to mind if far more taxpayers are leaving their state than are moving in,” noted Mr. Mix, “one day in the not-too-distant future shrinking revenue bases will require them to wake up.”

Thanks to data furnished by the Statistics of Income (SOI) division of the IRS, it has for many years now been possible to calculate the sum total of wages, salaries, and other income taxpayers take with them when they flee forced-dues states.

The SOI division records the number of personal income tax filers who move (typically with their dependents, if they have any) across state lines, based on address changes shown on their tax returns. The SOI data are arranged according to the year taxes are filed.

For example, the most recent available annual data (for the Tax Filing Year 2016) show that a total of 1.78 million tax filers were residing in a Right to Work state that year after residing somewhere else in the U.S. the previous year.

(Since the ban on compulsory union dues and fees in Kentucky, the most recent state to enact and begin enforcing a Right to Work law, was not adopted until the beginning of 2017, it is regarded as a forced-dues state in this analysis.

Wisconsin and West Virginia, whose Right to Work laws were not passed and signed until 2015 and 2016, respectively, are excluded.)

Meanwhile, roughly 1.60 million tax filers were residing in a Right to Work state in 2015, but filed from somewhere

else in the U.S. in 2016.

That means a net total of roughly 180,000 tax filers moved from a forced-unionism state to a Right to Work state between 2015 and 2016.

### **Forced-Dues States Lost An Average of \$75,958 Per Fleeing Taxpayer**

The SOI division also calculates and makes public the aggregate adjusted gross incomes for tax filers in the year immediately following their move from one state to another.

Personal income tax filers moving out of a forced-unionism state between 2015 and 2016 reported a total of \$128.8 billion in income in 2016, or \$75,958 per filer.

Tax filers moving into a forced-unionism state reported a total of \$104.5 billion in income, or \$68,763 per filer.

Both because of their substantial taxpayer losses due to net domestic out-migration, and because the taxpayers they gained reported nearly \$7200 less income apiece than the tax filers they lost, forced-unionism states lost a net total of \$24.3 billion in adjusted gross income in a single year.

Moreover, all of the seven states (New York, Illinois, New Jersey, Pennsylvania, Connecticut, California and Ohio) suffering the worst losses of income, in absolute terms, due to taxpayer out-migration from 2015 to 2016, lack Right to Work laws.

(See the chart located to the left for additional information.)

### **Financial Cost Suffered by Big Labor-Ruled States Compounds Every Year**

Over the past five years for which SOI data are available, compulsory-unionism states collectively lost a total of \$96.3 billion (2017 dollars) in adjusted gross income.

And the migration data furnished by the IRS indicating a loss for forced-dues states of approximately \$200 billion over the course of this decade do not convey how much taxpayers who flee forced-unionism states earn any later than the first year after they depart.

The financial cost endured by Big

*See Unsustainable page 7*

## **Biggest Income Losers Due to Net Out-Migration of Taxpayers, 2015-2016**

STATE	INCOME LOST	TAXPAYERS, DEPENDENTS LOST
New York	\$8.43 billion	160,777
Illinois	\$4.75 billion	86,161
New Jersey	\$3.42 billion	45,608
Pennsylvania	\$2.62 billion	31,973
Connecticut	\$2.62 billion	19,339
California	\$2.01 billion	88,718
Ohio	\$1.75 billion	19,186

All seven are compulsory-unionism states.

States shown suffered the largest net absolute losses of adjusted gross income in 2015-2016. Kentucky’s Right to Work law was not adopted until 2017, so it is counted as forced-unionism here. Since Wisconsin and West Virginia switched from forced-unionism to Right to Work in 2015 and 2016, respectively, they are excluded.

Source: IRS Statistics of Income (SOI) division.

Year after year, far more taxpayers are moving into Right to Work states than are moving out of them. And forced-unionism states are consequently losing enormous amounts of income (and tax revenue).