NATIONAL
RIGHT TO WORK
NEWSLETTER

VOLUME 65, NUMBER 3 www.nrtwc.org March 2019

Lawmakers Urged to Liberate Civil Servants

Big Labor's Monopoly-Bargaining Privileges Spawn Manifold Abuses

Under special-interest statutes now on the books in more than 30 states, public employees who don't wish to join a union are prohibited from dealing directly with their employer on key matters concerning their jobs.

And such independent-minded workers may also be denied the right to vote on the workplace contract crafted by union bosses endowed with monopoly-bargaining privileges and their employer.

"In states with government-sector monopoly-bargaining laws, employees are legally blocked from having any say whatsoever regarding major workplace matters unless they join a union and help bankroll its ideological activities," said National Right to Work Committee President Mark Mix.

Credit: Regent Law News

Right to Work attorney Bruce Cameron: Under the First and Fourteenth Amendments, civil servants "cannot be forced to choose between their political autonomy and a voice and vote in their working conditions."

Case Challenging Injustice of Monopolistic Unionism Heard By Massachusetts High Court

Recently, Bay State civil servants represented by a staff attorney for the National Right to Work Legal Defense Foundation, the Committee's sister organization, brought a case challenging the injustice of monopolistic government unionism before the Massachusetts Supreme Judicial Court.

And Right to Work activists in state after state are asking their elected officials to end this injustice legislatively.

"The simplest and best way to stop the Big Labor abuses that invariably result when government corrals workers into union collectives is to abolish the union-boss privilege of 'exclusive,' monopoly bargaining," said Mr. Mix, who heads the Right to Work Foundation as well as the Committee.

"Either courts or state lawmakers could potentially revoke Big Labor's privilege to prevent a public employee who isn't a union member from dealing directly with the employer regarding his or her own job terms and conditions, even if both the employee and the employer want to negotiate with one another."

On January 8, Massachusetts's highest court heard oral arguments in *Branch v. Commonwealth Employment Relations Board*.

Plaintiffs Must Submit to Big Labor Control to Keep Serving as Educators

Foundation attorney Bruce Cameron, who is also a professor of labor law at Regent University in Virginia Beach, Va., presented the case for the four plaintiffs, who are all employed as public educators.

Lead plaintiff Ben Branch is a professor of finance at the Isenberg School of Management of the University of Massachusetts (UMass) Amherst. Two of Dr. Branch's fellow plaintiffs are also UMass employees. The remaining plaintiff is a middle school teacher in Hanover, Mass.

As Mr. Cameron explained in a judicial brief filed last summer, none of the plaintiffs wants to be subject to so-called "exclusive" union representation regarding key terms and conditions of university or school employment.

But all of the plaintiffs must submit to Big Labor control in order to continue serving as public educators.

The brief directly quoted the reasons given by each of the plaintiffs for his or her

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Monopoly Privileges Opposed

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opposition to union monopoly bargaining.

Dr. Branch, for example, charges that that Massachusetts Teachers Association (MTA/NEA) union officials make it harder to "weed out ineffective and unproductive faculty."

He further charges that the union hierarchy "places additional burdens on the most effective and productive faculty," by favoring and protecting "the least productive and effective faculty."

'Support Big Labor Politics, or Give up Your Workplace Voice and Vote'

Another plaintiff, middle school teacher Deborah Curran, credibly contends that MTA union bosses have sought to exploit their monopoly-bargaining privileges to punish her for refusing to join their organization.

For example, Ms. Curran charges that, after she was promoted to the position of "district wide coordinator" for a new-teacher-mentoring program, union officials tried to have her removed from this position.

Thanks to the U.S. Supreme Court's landmark 2018 ruling in *Janus v. AFSCME Council 31*, successfully argued by Right to Work Foundation staff attorney William Messenger, the *Branch* plaintiffs are at least no longer forced to pay dues or fees to a union they would never voluntarily join.

However, post-*Janus* Massachusetts law continues to bar freedom-loving educators from negotiating their own contracts, and also prevents them from having any real influence over how the MTA union wields its monopoly-bargaining privileges unless they give up their First Amendment rights and become members.

Mr. Mix commented:

"As MTA kingpins openly boast in literature they pass out to nonmember educators, unless and until they join the union and thus effectively agree to support a wide array of Big Labor political speech, they will be barred from attending most MTA meetings.

"Moreover, educators who decline to pay for MTA union bosses' politicking and electioneering are not allowed to 'vote on [the] election of officers, bylaw modifications, contract proposals or bargaining strategy' of the MTA, even though it has monopoly power to speak for members and nonmembers.

"In practice, the monopolistic labor laws of Massachusetts and dozens of other states tell millions of civil servants to support Big Labor politics, or give up your workplace voice and vote."

As last year's *Janus* opinion acknowledged, union "exclusivity" in the government sector "substantially restricts the rights of individual employees."

State Lawmakers Have The Ability and the Duty To Protect Employees

Unfortunately, state and federal courts have for decades brushed aside the constitutional problems with union monopoly bargaining in public workplaces.

Recognizing the uphill battle they face, the *Branch* plaintiffs are not asking the Massachusetts Supreme Judicial Court to prohibit union monopoly bargaining "in the abstract," but rather to bar it insofar as it is exploited to coerce public workers into supporting Big Labor political speech.

As of the beginning of February, the state Supreme Court had yet to issue an opinion in *Branch*.

"Committee members and supporters around the country are hoping the jurists who heard the *Branch* arguments a few weeks ago will do the right thing," said Mr. Mix.

"But frankly we can't count on that.

"Fortunately, judges are not the only people who have the authority to redress constitutional wrongs.

"When a state law violates the U.S. Constitution, state lawmakers and chief executives have the duty to repeal or amend the law to bring it into accord with the Constitution, regardless of what the judiciary decides to do."

Workers Put 'Under Powerful Compulsion to Join' Unions By Monopoly Bargaining

Mr. Mix continued:

"The vast majority of the 50 states currently have statutes on the books forcing some or all types of public employees to be subject to union monopoly bargaining in order to work for taxpayers.

"Thanks to Right to Work's *Janus* victory, it's no longer legal, anywhere, to fire teachers, police, firefighters, or other public servants for refusal to pay for union advocacy.

"However, as the late Thomas E. Harris, then a top AFL-CIO lawyer, acknowledged back in 1962, union officials often use their monopoly-bargaining privileges as a cattle prod to herd more workers under their control, and punish those who resist.

"'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,' said Mr. Harris.

"This observation remains true today. That's why, this winter, National Right to Work officers and their grass-roots allies across the country are urging state lawmakers to push for passage of legislation prohibiting Big Labor 'exclusivity' in the government sector."

Credit: Steven G. Smith/Boston Globe

Finance professor Ben Branch would prefer, if he could, to deal directly with his employer regarding his compensation and other working conditions. But Big Labor politicians have barred him from doing so.

Virginia Solons and 'Tyrannical' Compulsion

Right to Work Law Under Attack in the Land of Thomas Jefferson

To "compel a man to furnish contributions of money for the propagation of opinions" he "disbelieves" is "sinful and tyrannical."

So wrote Thomas Jefferson, primary author of the Declaration of Independence and future U.S. President and founder of the University of Virginia in Charlottesville, in 1779.

Today, Jefferson's conviction that "the opinions of men are not the object of civil government" is enshrined in Virginia's 72-year-old Right to Work Law.

This statute prohibits union bosses from wielding their federal government-granted monopoly privileges to get employees fired for refusal to pay union dues or fees.

Unfortunately, a number of junior Virginia politicians do not share Jefferson's reverence for individual liberty.

Credit: Universal History Archive/Getty Images

Credit: Code Blue

Many Virginia working men and women believe, with good reason, that they are harmed by unionization, but Big Labor Delegate Lee Carter (right) thinks he knows better. Jefferson decried such politicians' "impious presumption."

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

On December 28, Big Labor radical Delegate Lee Carter (D-Manassas) introduced H.B.1806, legislation that would repeal the Right to Work provision (Article 3 of Chapter IV of Title 40.1) that has been in the Code of Virginia since 1947 and add a provision that explicitly authorizes compulsory union fees.

National Right to Work Committee Vice President John Kalb explained:

"If H.B.1806 is approved by the Virginia General Assembly and signed by union-label Democrat Gov. Ralph Northam, employees across the Old Dominion will be compelled to pay Big Labor bosses just to get or keep a job.

"Employees who refuse to hand over their hard-earned money will be fired -- plain and simple."

Mr. Kalb added that the injustice of the forced union financial support that is authorized and promoted by federal labor policy is magnified when the victimized workers are actually getting paid less as a consequence of being under union monopoly control.

Among the types of workers whose paychecks are often smaller because they are subject to so-called union "exclusivity" are those who are especially talented and/or hardworking.

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

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

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

Living Standards Generally Higher in Right to Work States, Highest in Virginia

Mr. Kalb commented: "In addition to being tyrannical and unjust, the forced-unionism system is associated with less real, spendable income for people from all walks of life."

He cited a recent study by the National Institute for Labor Relations Research that adjusts mean household incomes in the 50 states as reported by the U.S. Census Bureau for regional differences in the cost of living and tax burdens.

"In 2017," said Mr. Kalb, "the average Right to Work state household had a cost of living-adjusted, after-tax income of $57,416, roughly $4,500 more than the forced-unionism state average.

"And Right to Work Virginia's real spendable income per household was $65,959, more than $13,000 higher than the forced-unionism average and the highest in the nation."

'A Growing Reversal From' 70 Years of 'Bipartisan Consensus'

In addition to Mr. Carter, a number of other radical state politicians in Virginia, including Delegate Cheryl Turpin (D-Virginia Beach) and 2019 House candidates Tristan Shields, Shelly Simonds, and Jess Foster, have recently signaled their opposition to Right to Work.

As the Richmond-based *Republican Standard* has observed, the willingness of officeholders and would-be officeholders in Virginia to come out in favor of corralling workers into unions signals "a growing reversal" from 70 years of "bipartisan consensus" in the state.

"There is no doubt that a rising share of elected officials in Virginia are dependent on the Big Labor machine to get in power and stay in power," said Mr. Kalb. "But ordinary Virginians continue overwhelmingly to support their Right to Work law.

"The National Right to Work Committee is based in northern Virginia, and is prepared to initiate a full-scale mobilization of grass-roots forced-unionism foes to stop H.B.1806 if necessary.

"The Committee is also prepared, in the Virginia state elections that will take place this year, to let freedom-loving citizens know which of their politicians are defending their cherished Right to Work law, and which are attacking it."

Forced-Unionism Extremist Finally Off the NLRB

President Trump Requested Not to Renominate Obama Holdover

National Right to Work Committee activists and their allies across the country scored an important victory on January 3, when the nomination of radical union lawyer Mark Pearce for another five-year term on the National Labor Relations Board (NLRB) expired in the U.S. Senate with the conclusion of the 115th Congress.

Over the course of the nearly eight-and-a-half years he occupied a seat on the powerful, five-member NLRB, Mr. Pearce again and again banded together with former President Barack Obama's other handpicked appointees to execute a series of bureaucratic power grabs.

Each of these power grabs was clearly designed to help union officials seize monopoly-bargaining privileges over and extract forced dues and fees from as many workers as possible.

One especially outrageous example of Mr. Pearce's unwillingness to hold Big Labor accountable for violating federal labor statutes is the 2016 opinion he coauthored, with one other Obama appointee, in *UNITE HERE Local 5*.

In 2013, the bosses of the Local 5 subsidiary of the AFL-CIO-affiliated UNITE HERE union sent menacing letters to four independent-minded employees of the Hyatt Regency Waikiki Resort and Spa in Honolulu.

Federal Court Panel: Pearce-Coauthored 2016 Ruling Is 'Legally Unsupportable'

The letters to employees Mark Tamosiunas, Steven Taono, Agnes Demarke, and Wayne Young included threats flagrantly violating their right under federal labor law not to bankroll union-boss politics and lobbying with their forced union fees.

Credit: Jason Koski/Cornell Marketing Group

Thanks in part to Committee members, extremist forced-unionism proponent Mark Pearce is no longer on the NLRB.

At the time they received the UNITE HERE letters, which threatened to have their wages garnished if they refused to pay forced fees for Local 5's bargaining and political schemes, equal in amount to the dues forked over by members, none of these employees belonged to the union.

In forced-unionism states like Hawaii, private-sector workers can unfortunately be forced to pay fees to a union they would never voluntarily join, or be fired, but the law does not permit Organized Labor chiefs to force workers to pay for union advocacy about non-workplace matters.

With the help of staff attorneys for the National Right to Work Legal Defense Foundation (the Committee's sister organization), in early 2014 the four Hyatt Regency employees filed unfair labor practice charges against the Local 5 brass with the NLRB.

Two years later, Mr. Pearce was part of a board majority claiming that Local 5 bigwigs' political forced-fee threat to have workers' wages garnished if they didn't obey was lawful.

Fortunately, thanks to Right to Work attorneys' free assistance, the employees were able to file an appeal in federal court to get the Obama NLRB's lawless decision overturned.

Just last June, a panel of judges agreed that the board's bureaucrats had egregiously erred.

The panel, consisting of two Obama-appointed judges and a Jimmy Carter appointee, denounced the Pearce-coauthored ruling as "legally unsupportable," "contorted," "provid[ing] no rational basis," and "mak[ing] no sense" when they remanded the case for entry of a remedial order in favor of the injured employees.

President Trump Can Make Sure Mark Pearce Won't Inflict Even More Harm

"The outrageous decision Mark Pearce helped concoct in *UNITE HERE Local 5* is just one of many instances in which he and his cohorts helped union bosses get away for years with illegally extracting forced dues and fees from dissenting workers," said Committee Vice President Greg Mourad.

"And it will take additional years of legal action by tenacious employees and Right to Work attorneys before the damage wrought by the Obama NLRB is undone, to the extent it can be.

"Last year, after Senate Minority Leader Charles Schumer [D-N.Y.] smooth-talked the White House into nominating Mr. Pearce for another NLRB term, an intense Committee citizen mobilization campaign helped sway Majority Leader Mitch McConnell [R-Ky.] to refuse to bring the nomination up for a vote."

Early this year, Committee President Mark Mix wrote Mr. Trump to ask him to prevent Mr. Pearce from inflicting any more harm by keeping him off the NLRB.

If he is renominated, promised Mr. Mix, Committee members will do all they can to stop him from being confirmed in the Senate.

NATIONAL RIGHT TO WORK NEWSLETTER

www.nrtwc.org March 2019

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Job-Creating Investments Pour Into Kentucky

National Right to Work Helped State Pass, Defend Forced-Dues Ban

2017 and 2018 were the first two years in which a Right to Work law prohibiting the termination of employees for refusal to pay union dues or fees was on the books in Kentucky.

Over the course of these two years, companies pledged to invest a total of roughly $14.5 billion in expansions and new facility locations throughout Right to Work Kentucky.

Kentucky's best-on-record year for job-creating investments came in 2017. Last year was the state's second highest-ever investment performance. And Kentuckians have ample reason to be optimistic about the future.

Credit: NRTWLDF

In 2018, a National Right to Work attorney went before the Kentucky Supreme Court to defend the state's Right to Work law on behalf of factory employees William and Jacob Purvis (pictured) and one other Bluegrass State worker.

Law's Passage Was 'the Culmination of a Persistent, Hard-Fought Battle'

Gov. Matt Bevin, who signed the Right Work law on January 7, 2017 and has continued to support it enthusiastically since, recently summed up the progress in an interview with the West Kentucky *Star:*

"We have never had more Kentuckians working. We've never had higher per capita income in this state. We've never had lower unemployment in this state."

Mr. Bevin has publicly linked the Right to Work law to the recent record-breaking flow of business investments into Kentucky. And National Right to Work members can take some of the credit for Kentucky's success.

"The passage of Kentucky's Right to Work law just over two years ago was the culmination of a persistent, hard-fought battle to end compulsory unionism in the Bluegrass State," recalled National Right to Work Committee Vice President Mary King.

Right to Work Attorney Helped Defend Law Before State Supreme Court

Ms. King continued,

"For example, in the fall of 2015, when Mr. Bevin was running for governor against pro-forced unionism Attorney General Jack Conway, the National Committee alone contacted 150,000 Kentucky households with one or more identified Right to Work supporters.

"The Committee informed these citizens about the stark contrast between the two major-party gubernatorial candidates on labor policy. On Election Night, the pro-Right to Work candidate won by an 85,000-vote margin."

Having lost at the polls and in the Kentucky General Assembly, in May 2017 Big Labor turned to the state judiciary in an effort to get its forced-dues privileges reinstated.

Acting on behalf of a press operator in Lebanon, Ky., and two employees at the Leggett & Platt facility in Winchester, Ky., attorneys for the National Right to Work Legal Defense Foundation, the Committee's sister organization, successfully intervened in the case.

Ultimately, union bosses' anti-Right to Work lawsuit came before the state Supreme Court, and, when it did, Right to Work attorney William Messenger defended the ban on forced dues and fees, along with an attorney for the state of Kentucky.

In November 2018, the Kentucky Supreme Court rejected union lawyers' claims and upheld the Right to Work law.

Small Towns as Well as Cities Are Now Gaining Good Jobs in Kentucky

With the threat of a judicially-imposed reimposition of forced unionism out of the way, 2019 stands to be another great year for Kentucky employees and businesses.

"An array of recent media reports show that numerous good jobs are being created in the Bluegrass State's small towns as well as in its major cities," noted Ms. King.

She pointed to the example of Precision Pulley and Idler (PPI), which in December announced it would locate a $10.75 million manufacturing operation in Maysville.

Maysville is a community of roughly 9,000 people located on the Ohio River, 66 miles northeast of Lexington.

According to a January 2 report by *Area Development*, the company plans to create 134 full-time jobs over the next 10 years in a factory that will be located in an existing 105,000-square foot building.

Ms. King emphasized that the primary reason why Kentucky and 26 other states have enacted and implemented Right to Work laws is to ensure that employees' personal freedom to join or not join a labor union is protected.

"But good jobs are an important additional benefit," Ms. King noted.

"And the soon-to-be-built PPI manufacturing and distribution operation in Maysville is just one of many cases in point."

Force Oregon Taxpayers to Bankroll Unions?

Big Labor State Politicians Plan to Circumvent Janus *Decision*

Thanks to a landmark U.S. Supreme Court victory won last summer by Illinois civil servant Mark Janus, with the assistance of a legal team led by Right to Work staff attorney Bill Messenger, government union bosses now face a future with far less money siphoned from employee paychecks at their disposal.

Nationwide, Big Labor officials in the government sector could ultimately lose hundreds of millions, or even billions, of dollars in coerced dues and fees.

In *Janus v. American Federation of State, County and Municipal Employees Council 31*, the High Court recognized, for the first time, the unconstitutionality of deals between union chiefs and public employers forcing civil servants to pay for the advocacy of a union they would never voluntarily join, or be fired.

Credit: Oregon AFL-CIO

Beaver State Right to Work supporters face an uphill battle trying to keep a bill imposing direct taxpayer funding of government unions from reaching the desk of Big Labor Gov. Kate Brown (pictured).

'Workaround' Would Let Union Dons Continue Cashing in Even if They Lose Members

Union-label legislators and governors who have largely depended on Big Labor's forced dues-funded largesse to get elected and reelected are obviously afraid of what will happen once their patrons have to depend on genuinely voluntary support from members for their future funding.

To ensure that frightening scenario never materializes, months before the *Janus* decision was announced, politicians in many of the roughly two dozen states where forced government-sector union dues were still permissible pre-*Janus* began introducing and adopting countermeasures.

For more than a year, politicians in Big Labor strongholds like New York, California and Hawaii have been seeking to deter educators, public-safety officers, and other civil servants from ever exercising their right to resign from, or never join, an unwanted union.

(Staff attorneys for the National Right to Work Legal Defense Foundation, the National Right to Work Committee's sister organization, are now helping independent-minded civil servants in a number of states mount judicial challenges to state statutory and regulatory schemes to circumvent *Janus*.)

Up to now, no union-label legislators in any state have actually resorted to the "nuclear option" of redirecting taxpayer money that would otherwise go to public workers' paychecks to cover Big Labor's operating expenses.

But that could change very soon. In forced-unionism Oregon's 2019 legislative session in Salem, Organized Labor lobbyists are pulling out all the stops to ram through H.B.2643, a cynical bill that would enable government union bosses to maintain or even increase their revenue flow no matter how many members they lose!

Union Bosses Would Receive Money From Public Employers Across the State

Although H.B.2643 is officially sponsored by Rep. Paul Holvey (D-Eugene), it was actually drafted by Oregon School Employees Association (OSEA/AFT) union lawyer Mike Tedesco, according to Oregon capital reporter Aubrey Wieber.

Committee Vice President Matthew Leen explained how H.B.2643 will undercut *Janus* if it is adopted:

"Holvey/Tedesco would impose a yet-to-be determined assessment on all public employers for every employee under their authority who is subject to union monopoly bargaining.

"Public employers would fork over these assessments to the Oregon Employment Relations Board, which would then funnel all the money to government union coffers.

"Union bigwigs would not be required to perform any service whatsoever for taxpayers in exchange for the taxpayer money, which could easily add up to $100 million or more a year."

Just How Panicked Are Big Labor Bosses About *Janus*?

Mr. Leen recalled that, just last year, when pro-forced unionism New York Assemblyman Richard Gottfried (D-Manhattan) floated an anti-*Janus* proposal similar to H.B.2643, even some government union officials said they didn't want that kind of "help":

"If Oregon union lobbyists proceed now with their announced plan to send H.B.2643 to Big Labor puppet Gov. Kate Brown's desk, it will show the union hierarchy's desperation about workers' exercising their *Janus* rights has greatly intensified since the middle of last year.

"If union bosses really do dare to open up a straight path for taxpayer money to go into Big Labor's bank accounts, National Right to Work Committee members and their allies will face an uphill battle to stop them in forced-unionism Oregon.

"But I am confident National Committee staff and Right to Work activists across the country will do all they feasibly can to help."

Problem Made in Washington

Continued from page 8

Cost of living-adjusted compensation per employee is thus more than $1,700 higher in Right to Work states.

Compulsory Union Dues and Fees Bankroll Growth-Hindering Policies

The combined BEA and MERIC data show that the Right to Work private sector employee compensation advantage has greatly widened over the course of the past few years.

In 2013, when 24 states had bans on forced unionism on the books, the average cost of living-adjusted compensation per Right to Work state employee was roughly $800 higher than the average for states permitting the termination of employees for refusal to fork over money to Big Labor.

National Right to Work Committee President Mark Mix commented:

"It makes perfect sense that employees' real purchasing power and the growth of their purchasing power would be higher in Right to Work states than in forced-unionism states.

"Union bosses funnel a large portion of the forced dues and fees they collect with federal policy's abetment into politics.

"And the union-label politicians who routinely get elected and reelected because of their forced dues-funded support overwhelmingly favor higher taxes and more red-tape regulation of businesses both large and small.

"The actions of forced dues-funded politicians thus result in slower revenue growth for business, and that generally means slower growth in cash pay and benefits for employees.

"Of course, Big Labor does the most damage in states where union bosses rake in the most forced-dues money.

"But if Congress repealed all the current forced-dues provisions in the NLRA [National Labor Relations Act] and the RLA [Railway Labor Act], this massive impediment to economic growth nationwide would quickly be lifted.

"Employees and businesses based in current Right to Work states would share the benefits as their major out-of-state suppliers and customers were freed from the burden of compulsory unionism.

"Forced-dues repeal would spur accelerated income and job growth in all 50 states."

Soon after this edition of the National Right to Work Newsletter goes to press in early February, Sen. Rand Paul (R-Ky.) is expected to introduce federal forced-dues repeal legislation in the 116th Congress.

The forthcoming Paul measure, officially titled as the National Right to Work Act, would not add a single word to federal law.

Instead, it would simply repeal the current provisions in federal labor statutes that authorize compulsory union dues and fee payments as a condition of employment.

Companion National Right to Work legislation will also be introduced early this year in the U.S. House of Representatives.

Grass-Roots Efforts Underway To Build Capitol Hill Support For Forced-Dues Repeal

"This winter, the 2.8 million Committee members are lobbying hard to build Capitol Hill support for forced-dues repeal," said Mr. Mix.

"Right to Work supporters are jubilant over the series of victories we have scored at the state level since late in Barack Obama's first term in the White House. That's entirely appropriate.

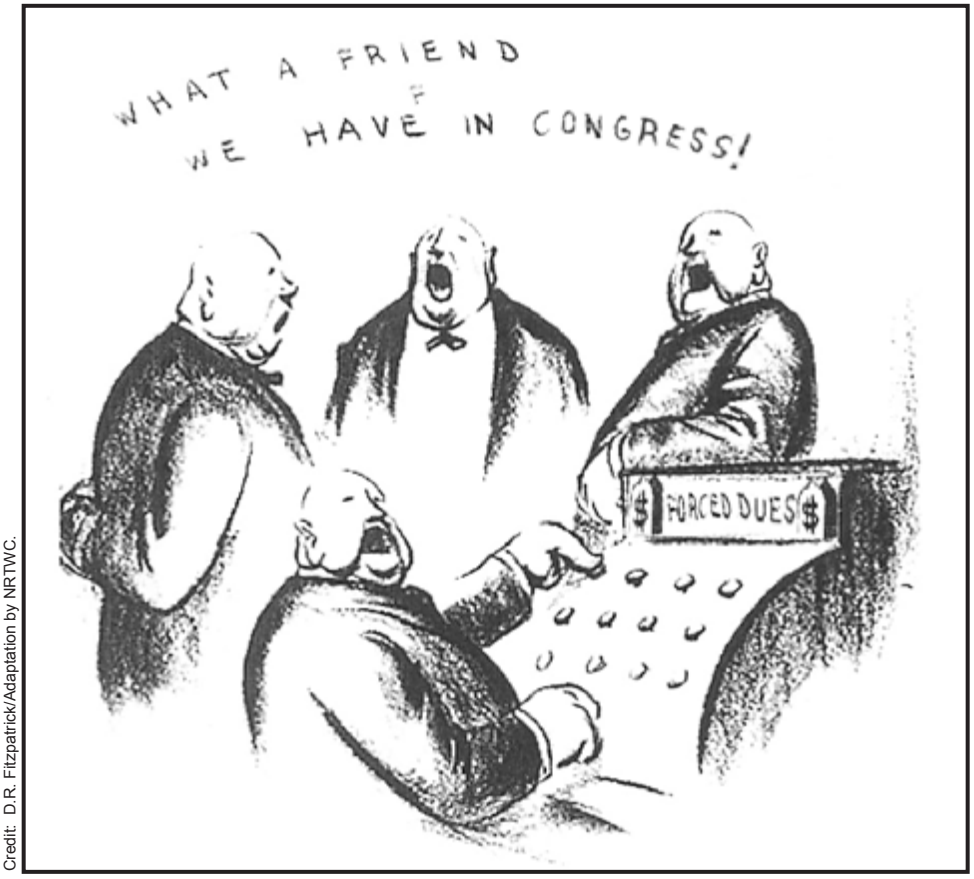
"But it should never cause us to forget that it's Congress, not any state legislature, that spawned the evil of forced union dues in the first place.

"And even in the 27 states that have now enacted and put into effect Right to Work laws, because of federally imposed loopholes, union bosses still wield the power to get airline and railroad employees and employees on so-called 'exclusive federal enclaves' fired for refusal to pay dues or fees.

"Fortunately, the National Right to Work Act would close these loopholes, which were drilled into all existing and future state Right to Work laws by Congress and the federal courts.

"The fact is, even as the Right to Work movement gains more and more strength, Congress continues to perpetuate the problem of private-sector forced union dues.

"Ultimately, Congress must solve it once and for all by passing the National Right to Work Act."



Credit: D.R. Fitzpatrick/Adaptation by NRTWC.

For nearly 85 years, federal labor policies adopted and perpetuated by the U.S. Congress have endowed a relative handful of union bosses with the power to get employees fired for refusal to bankroll their organizations.

Right to Work's Widening Compensation Advantage

Pro-Forced Dues Federal Policy Harms Employees, Firms Nationwide

Today over 50% of all Americans live in one of the 27 states with a Right to Work law on the books prohibiting the termination of employees for refusal to pay dues or fees to an unwanted union.

Twenty-two states have had such a law for at least a decade and a half. Five states (Indiana, Michigan, Wisconsin, West Virginia and Kentucky) have adopted and implemented Right to Work protections since the beginning of 2012.

And in 23 states, compulsory union dues and fees are still legally authorized and promoted.

'Freedom of Association . . . Plainly Presupposes a Freedom Not to Associate'

By the time the first Right to Work laws were approved during the mid-1940's, federal labor policy had already long prohibited so-called "yellow-dog" contracts -- that is, contracts under which a worker had to agree, as a condition of employment, not to join and financially support a union.

The ban on "yellow-dog" contracts was and is supported by the vast majority of Americans, who support individual freedom in the work place.

Pro-Right to Work citizens in particular emphatically believe that the individual employee should be free to choose which private organizations, if any, he or she financially supports, regardless of what the goverment, the business owner, or other employees think.

State Right to Work laws simply specify that the personal freedom of association guaranteed for the employee under federal policy must be genuine and evenhanded.

After all, as U.S. Supreme Court Justice William Brennan's 1984 majority opinion in *Roberts v. Jaycees* acknowledged, "Freedom of association . . . plainly presupposes a freedom not to associate."

There's Ample Evidence Right to Work Laws Are Economically Beneficial

Compulsory unionism is primarily a moral issue.

At the same time, there is ample evidence Right to Work laws are economically beneficial for employees, employers, and practically everyone else.

One key to understanding the connection between Right to Work and higher living standards is awareness of interstate differences in the cost of living.

The fact is, nonpartisan analysts such as the Missouri Economic Research and Information Center (MERIC), a state government agency, consistently find that compulsory-unionism states as a group have a substantially higher cost of living than do Right to Work states as a group.

MERIC's data show that the 27 states that had Right to Work laws on the books and in effect as of 2017 had a population-weighted cost of living that year of 93.9 -- 6.1% below the national average.

The 23 forced-unionism states combined had a population-weighted cost of living of 119.8, or 19.8% above the national average.

In short, forced-unionism states were on average nearly 28% more expensive to live in than Right to Work states in 2017.

When considered together with MERIC's cost-of-living data, statistics from the U.S. Commerce Department's Bureau of Economic Analysis (BEA) show that the real purchasing power of the average Right to Work state employee's paycheck is greater than it is for the average forced-unionism state employee.

In 2017, Right to Work States' Real Per Employee Compensation Was $47,963

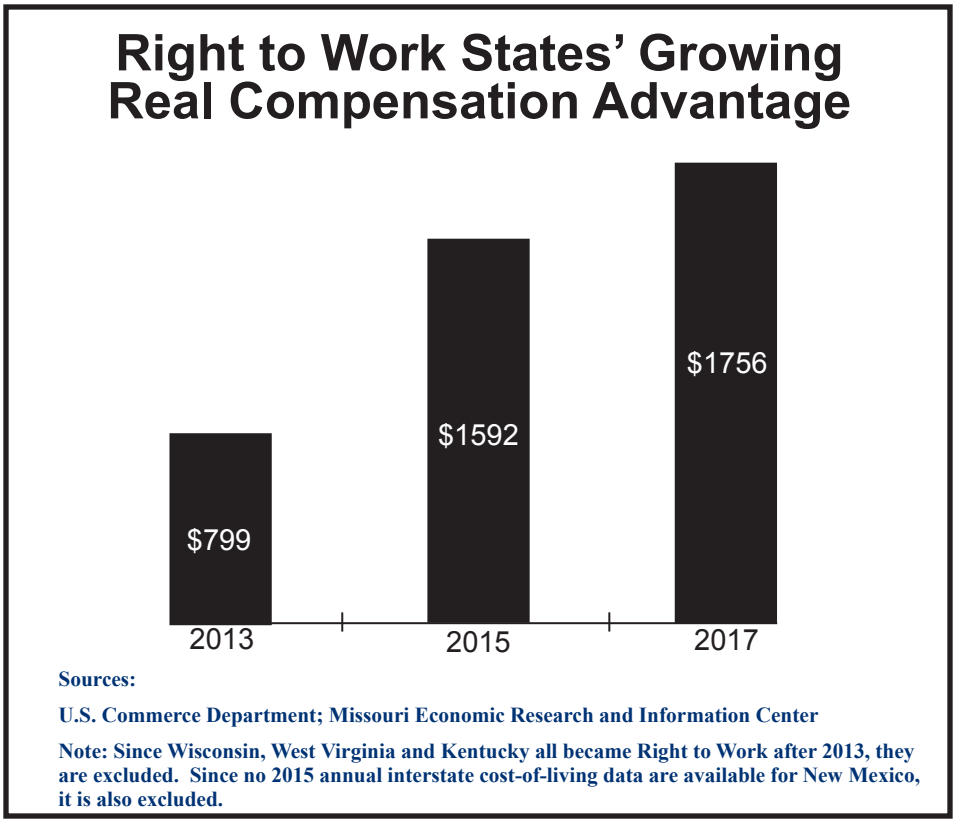
According to the BEA, in 2017 there were 81.927 million full-time and part-time private-sector employees (including contract employees and the self-employed, as well as payroll employees) located in the 27 states that currently have Right to Work laws on the books.

After adjusting BEA data for regional differences in the cost of living with the help of MERIC's indices for 2017, private-sector employees in Right to Work states earned a total of $3.929 trillion in cash compensation and benefits that year.

That comes to $47,963 per employee.

Meanwhile, the 86.521 million private-sector employees in the 23 forced-unionism states took in a total of $4.000 trillion in cash compensation and benefits, or $46,228 per employee.

See **Problem** *page 7*



In 2017, employees in Right to Work states earned, on average, $1,756 more in cost of living-adjusted compensation than employees in forced-dues states. Since 2013, Right to Work's real compensation advantage has more than doubled.