



# NATIONAL RIGHT TO WORK NEWSLETTER

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## Presidential Hopefuls Vow to Kill Right to Work *Pay Big Labor to Undercut Your 'Economic Interests,' or Be Fired!*

Kamala Harris, the junior U.S. senator from California and one of roughly 20 hopefuls for the Democrat Party's 2020 presidential nomination, knows full well that many employees who are subject to union monopoly bargaining would be better off if they weren't.

In fact, in the fall of 2015, Ms. Harris and several other statewide California officeholders effectively admitted that laws authorizing union bosses to act as the sole spokesperson for members and non-members alike in contract negotiations with the employer can and often do hurt talented employees.

At that time, Ms. Harris was California's attorney general.

She, state Solicitor General Ed DuMont, and several of their lieutenants, along with officers of the National Education Association (NEA) union and its Golden State subsidiary, the California Teachers Association (CTA), were the respondents in *Friedrichs v. CTA*, a case before the U.S. Supreme Court.

### Big Labor Has 'Substantial Latitude' to Harm 'Economic Interests' of Many Workers

The *Friedrichs* plaintiffs were 10 independent-minded public educators. They were challenging the constitutionality of California's laws foisting forced union dues and fees as a job condition on government-sector workers.

In their September 2015 merits brief to the High Court, the plaintiffs drew upon passages in the *NEA Handbook* to make the case that the respondent unions "advocate numerous policies that affirmatively harm [many] teachers . . .":

"NEA considers any 'system of compensation based on an evaluation of an education employee's performance' to



Credit: Fox News

**Mark Mix: Kamala Harris and many other presidential candidates are willing to promise to corral millions of Americans into unions against their will in exchange for the \$2 billion union political machine's support.**

be 'inappropriate' and 'opposes providing additional compensation to attract and/or retain education employees in hard-to-recruit positions.'"

Teachers who "care more about rewarding merit than protecting mediocre teachers" should "oppose these policies," concluded the *Friedrichs* plaintiffs, who were represented by a team of attorneys led by Michael Carvin of the Cleveland-based law firm Jones Day.

The plaintiffs added that "teachers who specialize in difficult subjects (like chemistry or physics), but are trapped in union-obtained pay systems that stop them from out-earninging gym teachers," should also oppose those policies.

In the reply briefs they filed in November 2015, the pro-forced unionism respondents did not contest the fact that many teachers get paid less due to union

monopoly bargaining.

And Ms. Harris and Mr. DuMont actually confirmed in their brief that, under statutes and case law authorizing monopolistic unionism, Organized Labor officials "do have substantial latitude to advance bargaining positions that . . . run counter to the economic interests of some employees."

### Union-Label Politicians 'Do Not Have the Best Interests Of Workers at Heart'

Even as they acknowledged that Big Labor undercuts the economic interests of many teachers and other employees, the union-label California politicians continued to argue it is sound public

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# Right to Work Under Attack

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policy to authorize the termination of such employees if they refuse to bankroll a union they don't want!

On the presidential campaign trail in Las Vegas this April 27, Ms. Harris aggressively reaffirmed her support for forced union dues and fees and declared her intention to wipe out Right to Work protections for employees nationwide.

"Banning Right to Work laws" would be one of the first initiatives she would undertake in the White House, Ms. Harris vowed to an audience of union professionals and their militant followers.

National Right to Work Committee President Mark Mix commented:

"Kamala Harris' ugly message to employees across America is 'Pay Big Labor to undercut your 'economic interests,' or be fired from your job.'

"Clearly, pro-forced unionism politicians like Ms. Harris do not have the best interests of workers at heart."

## Many 2020 Democrat Presidential Hopefuls Are Targeting Right to Work

Mr. Mix, appearing on the nationally televised *Fox & Friends* show, emphasized that the California senator is far from the only candidate for the 2020 Democrat presidential nomination who has gone on the record in support of foisting compulsory unionism on employees nationwide.

In fact, one of the contenders to be the Democrat standard-bearer, Vermont U.S. Sen. Bernie Sanders, was the lead sponsor last year of S.2810, the cynically mislabeled "Workplace Democracy Act," legislation that would have wiped out all 27 current state Right to Work laws.

As if that weren't enough, the Sanders scheme, which he is expected to reintroduce soon in the current Congress, would also have rewritten federal law concerning "card checks" to help union bosses shove hundreds of thousands of small businesses and millions of additional workers under Big Labor control.

Under yet another provision in S.2810, if union heads and employers negotiating a first contract failed to make a deal within roughly four months, a federal "arbitration panel" would have unilaterally implemented a contract binding for two years on union members and non-members alike.

"S.2810 would have enabled union bosses with monopoly-bargaining power

to circumvent altogether the wishes of unionized workers by prevailing upon federal bureaucrats to give them forced-dues privileges," said Mr. Mix.

"And workers wouldn't have been able to do anything about it for a minimum of two years."

Along with Mr. Sanders and Ms. Harris, other 2020 presidential candidates who signed on to S.2810 include Sens. Elizabeth Warren (D-Mass.) and Kirstin Gillibrand (D-N.Y.).

Among the other Democrat White House hopefuls who are now most loudly proclaiming their opposition to Right to Work are former Obama Cabinet member Julian Castro and former Colorado Gov. John Hickenlooper.

## Right to Work Repeal Would Leave Job-Creating Firms With Nowhere to Flee

If Big Labor politicians got their way and all state Right to Work laws were wiped off the books, job-creating businesses that have been harmed by Big Labor class warfare would no longer be able to mitigate the damage by growing and investing in jurisdictions without compulsory unionism.

"From 2013 to 2018, according to U.S. Department of Labor data, payroll manufacturing employment grew by 425,000, or 7.6%, in states that had Right to Work laws on the books for the entire

five years," noted Mr. Mix.

"In both percentage and absolute terms, manufacturing employment growth was roughly two-and-a-half times as great as it was in forced-dues states.

"Without Right to Work states, there would certainly be far fewer jobs created in the U.S. as a whole.

"And job seekers who couldn't find good jobs in slow-growth forced-unionism states would no longer have anywhere to flee."

## Right to Work Committee Prepared to Fight Back

The good news, said Mr. Mix, is that the American people continue, overwhelmingly, to oppose forced unionism.

He explained: "Kamala Harris and many other presidential candidates are obviously willing to promise to corral millions of Americans into unions against their will in exchange for the \$2 billion union political machine's support.

"But the support of that machine, as formidable as it is, will not be enough for a pro-forced-dues White House hopeful to prevail a year from November, if the overwhelming majority of Americans who support Right to Work recognize that this important freedom is increasingly at risk.

"And thanks to the ongoing generous support of our 2.8 million members across the country, I am confident the National Right to Work Committee will be fully prepared to sound the alarm about the rising threat of compulsory unionism through our federal candidate survey program in 2020." 📌



Credit: SEIU, ULTCW

Even after publicly acknowledging in 2015 that union bosses have "substantial latitude" under labor statutes to harm talented employees' "economic interests," Kamala Harris has persisted in virulently opposing Right to Work laws.



# Big Labor Politicians Flaunt Supreme Court

## Washington Governor Poised to Sign Unconstitutional Legislation

It's now been roughly a year since 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."

Unfortunately, the union-label politicians who hold the reins of power in Olympia, Wash., don't appear yet to have gotten the message sent by *Janus v. AFSCME Council 31*, a case argued and won by National Right to Work Legal Defense Foundation attorney Bill Messenger on behalf of Illinois civil servant Mark Janus.

In April, Washington State legislators rubber-stamped H.B.1575, legislation that effectively requires government employers to siphon money out of employees' paychecks and funnel it to Big Labor without their consent.

### Bill Aims to Shield Union Dons From Being Made to Return Ill-Gotten Gains

In other words, H.B.1575, which as this Newsletter is written is on pro-forced unionism Democrat Gov. Jay Inslee's desk and is almost certain to be signed by him, requires public employers in Washington State to violate civil servants' First Amendment rights.

Under H.B.1575, public employers would be *legally prohibited* from ceasing to deduct union dues from employee paychecks because an employee personally informs them that he or she no longer belongs to the union and does not wish to bankroll it.

Public employers would only be permitted to stop siphoning a portion of an independent-minded employee's pay into union coffers when the union says it may do so.

And government union bosses would be authorized, in effect, to ignore employee resignation notices 97% or more of the time, prohibiting employees from cutting off financial support for the union except for during a short annual "window period" of as little as 10 days, or perhaps even fewer!

Other outrageous provisions of H.B.1575 purport to grant union bosses legal "immunity" for having illegally seized dues and fees from employees



Credit: Rachel La Corte/Associated Press

**Based on his record, union-label Democrat Gov. Jay Inslee is almost certain to sign H.B.1575, even though it is outrageously anti-employee. Right to Work attorneys are already preparing to fight this scheme in court.**

prior to the *Janus* decision. The clear goal here is to shield Big Labor from having to return any of its ill-gotten gains.

Union bosses cannot credibly pretend they were acting in ignorance when they unconstitutionally extracted money from civil servants pre-*Janus*.

In October 2017, months before the case was even heard, American Federation of State, County and Municipal Employees President Lee Saunders admitted, at a union convention in Washington State, that the High Court was likely to rule against forced-dues apologists in *Janus*.

### Injured Employees Would Be Blocked From Seeking Redress in State Court

Though post-*Janus* exactions of forced union dues and fees from public employees would be formally illegal under H.B.1575, the bill would explicitly strip employees whose right not to bankroll a union are violated of any standing to seek redress in state court or before the Public Employment Relations Commission.

Employees who wished to get their conscripted money back would have no choice but to initiate typically expensive and time-consuming lawsuits in federal court.

National Right to Work Committee

Vice President John Kalb noted that the Committee had, prior to the legislative votes on H.B.1575, written every state representative and senator in Olympia, Wash., to urge opposition to the power grab.

The letter bluntly warned:

"This bill is an assault, not just on the individual government employees of Washington, but on the taxpayers of your state as well."

"Unfortunately," said Mr. Kalb, "the union political machine's vise grip over public officeholders in the Evergreen State is so tight that virtually every Big Labor demand for new special privileges is granted in the state capital.

"H.B.1575 was no exception.

"Fortunately, in those times and places where the legislative climate is too hostile for Committee members and supporters to be able to prevent a union special-interest bill from becoming law, Right to Work can still sometimes prevail in court.

"In anticipation of Gov. Inslee's signing of H.B.1575, Right to Work Foundation attorneys are already preparing for litigation to overturn the bill's worst provisions in court.

"Given the availability of plaintiffs who are prepared to fight for their First Amendment rights, I am optimistic such litigation will be successful." 🗳️

# Monopolistic Unionism Hurts Autoworkers

## Union-Free Factories Help Make Tennessee an 'Automotive Leader'

As this Newsletter edition goes to press in early May, United Auto Workers (UAW/AFL-CIO) union bosses are embroiled in their latest bid to corral employees at the Volkswagen (VW) motor vehicle-assembly plant in Chattanooga, Tenn., into a union collective.

At the outset of this unionization campaign, Tennessee UAW official Steve Cochran flatly admitted that higher pay for production employees is not the goal.

Mr. Cochran's early April admission to Ted Evanoff of the *Memphis Commercial Appeal* that foisting (productivity-squashing) Big Labor work rules on the Chattanooga facility, rather than raising compensation, is UAW militants' focus should not surprise anyone in 2019.

Back in 2015, a careful comparative analysis conducted by the nonpartisan, Ann Arbor, Mich.-based Center for Automotive Research found that the total hourly compensation for union-free autoworkers employed by Daimler AG in Right to Work Alabama is higher than for all other autoworkers in the U.S.

Specifically, combined cash and noncash compensation for Daimler AG employees in Alabama is higher than for GM, Ford, and Fiat Chrysler autoworkers, all of whom are under UAW monopoly-bargaining control.

### Big Labor-Impaired GM Is Shuttering Five North American Plants This Year

What is UAW operatives' pitch, if it isn't bigger paychecks?

Incredibly, they are suggesting that only their union, recently designated by a federal judge as a "co-conspirator" in a multi-year, multi-million-dollar scheme to loot a worker training fund, can ensure that the auto assembly jobs now located in Right to Work Tennessee stay there.

"Of all the factually challenged propaganda claims the UAW machine has churned out over the years, current assertions that the UAW hierarchy will be a 'strong advocate' for keeping VW jobs in Tennessee may be the craziest," said National Right to Work Committee Vice President Mary King.

"This year, former 'Big Three' automaker GM is in the process of shuttering five of its North American plants, all of which employ or used to employ UAW-'represented' employees.

"Meanwhile, in Right to Work states like Tennessee, South Carolina and



Credit: UAW Local 42

**As UAW operative Steve Cochran has admitted, higher pay for VW employees is not union organizers' goal.**

Alabama, union-free auto assembly and parts manufacturing facilities producing all kinds of vehicles and components have continued to be constructed and expanded in recent years."

### 'In [Right to Work] Tennessee, There Has Been a Wave of Good News'

Ms. King added that the connection between UAW-boss rule and auto-sector job destruction has been clear for many years:

"From 2007 to 2017, for example, according to the 2018 edition of Bloomberg Law's *Union Membership and Earnings Data Book*, the nationwide total of unionized motor vehicle and motor vehicle equipment manufacturing jobs plummeted by 14.0%.

"Meanwhile, U.S. employment in

union-free automotive manufacturing jobs, which are overwhelmingly located in Right to Work states, soared by 17.5%.

"This enormous job shift occurred at the same time that UAW-controlled GM and Fiat Chrysler, and the UAW itself, were the beneficiaries of multi-billion-dollar, taxpayer-funded bailouts granted by two U.S. presidents and Congress."


As a January 17, 2019 news analysis by business reporters Lizzy Alfs and Jamie McGee for the *Nashville Tennessean* documented in detail, Volunteer State employees have benefited greatly thanks to the extraordinary success and international competitiveness of domestic union-free automotive manufacturing.

Even as the national news media focus on "restructuring, layoffs, turmoil and declining profits" at UAW-dominated companies, wrote Ms. Alfs and Ms. McGee, in Tennessee "there has been a wave of good news."

The reporters cited data from the Tennessee Department of Economic and Community Development to highlight the state's "position as an automotive leader":

"The state is home to more than 917 auto suppliers, with automotive operations in 88 of 95 counties . . ."

"In addition to Right to Work protections, the fact that UAW bosses do not wield monopoly-bargaining control over the pay, benefits and work rules for most automotive-production employees has undoubtedly contributed to Tennessee's outstanding record for job creation in the sector," said Ms. King.

"Consequently, I do not expect a majority of VW employees to vote in favor of UAW 'exclusivity' at their facility if and when they get a chance to express their views in a free and fair election." 

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# 'If You Quit the Union, You'll Lose Your Job'

## Grocery Worker Whom Union Boss Threatened Files NLRB Complaint

Early in the afternoon on Thursday, April 11, top bosses of five subsidiaries of the mammoth United Food & Commercial Workers union (UFCW) sent more than 30,000 New England supermarket employees out on strike.

And UFCW bigwigs evidently didn't believe they could win their battle against roughly 240 Stop & Shop stores in Connecticut, Massachusetts, and Rhode Island simply by convincing employees to walk off their jobs without fear of reprisals if they didn't.

### Union Boss Fed Grocery Worker Flagrantly False Information About His Rights

Employees who notified the union brass that they were exercising their legal right to resign from the UFCW so they could continue to work and feed their families without being subjected to Big Labor fines and other penalties report they were threatened by union officials.

One employee charges that UFCW Local 1459 officer Dean Ethier explicitly told him, in a text message, that he would lose his job once the strike was over for quitting the union so he could continue working, even though retaliatory firings of nonstriking workers are clearly illegal!

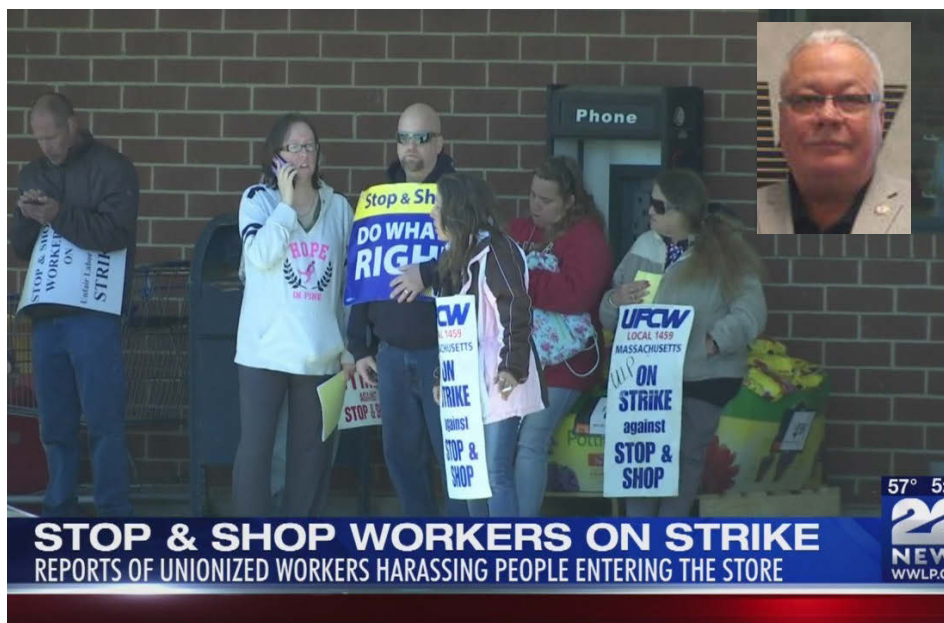
On April 17, the employee, who works at a Stop & Shop store in western Massachusetts and prefers to remain anonymous, filed unfair labor practice charges with the National Labor Relations Board (NLRB) against the UFCW Local 1459 brass.

He is receiving free legal assistance from National Right to Work Legal Defense Foundation staff attorneys.

### Nonstriking Employees Allegedly Had to be Escorted By a Security Guard

"Power-crazed and vengeful union bosses can and often do slap onerous fines on union members who disagree with a strike and decide to stay on the job," said National Right to Work Committee Vice President Matthew Leen.

"But nearly three-and-a-half decades ago, the U.S. Supreme Court affirmed, in *Patternmakers v. NLRB*, that private-sector union members have an unqualified right under federal law to resign from a union immediately. Of course, Big Labor



**Big Labor's compulsory-unionism privileges help create a "culture of abuse" that evidently gives union bosses like UFCW Local 1459's Dean Ethier (inset) and union militants the idea they are above the law.**

cannot impose fines or other penalties on non-members.

"And more than half-a-century ago, the High Court made it clear, in *NLRB v. General Motors*, that it is illegal to fire an employee simply for not being a union member, although non-member employees in non-Right to Work states may unfortunately be fired for refusal to fork over forced fees to the union.

"But when an employee asked Secretary-Treasurer Ethier about his right to keep working as a union non-member, the union kingpin falsely told him he would lose his Stop & Shop job if he quit the union.

"And later, after the employee saw through Mr. Ethier's deception, resigned from the union, and returned to work, he was subjected to threats of violence and harassment by, and at the direct instigation of, UFCW Local 1459 agents.

"The threats and harassment were so ugly, reports the employee, he and other nonstriking employees had to be escorted in and out of the grocery store by a security guard."

Eyewitness reports across New England indicate that employees who defied strike orders were not the only targets of UFCW union thuggery.

Regular Stop & Shop customers who continued to patronize the store during the strike, which ended on Easter Sunday,

were reportedly videotaped by UFCW union bullies and subsequently harassed on Facebook.

### Do Special Privileges Spur Union Dons to Believe They Can Get Away With Anything?

Ken Pittman, a radio talk show host in New Bedford, Mass., has reported he saw union radicals throw objects at a shopping mom with a toddler in tow.

"It is reasonable to ask," observed Mr. Leen, "why there are so many union officers like Dean Ethier and union militants who, it appears, are ready to break the law in broad daylight.

"To Right to Work supporters, the most plausible explanation by far is the extraordinary privileges federal labor law grants Big Labor over employees.

"And by far, the two most egregious of these privileges are the monopoly power to speak for the individual employee on workplace matters, even if the employee chooses not to join the union, and the power to get employees fired for refusal to bankroll the union.

"Is it really so shocking that a union boss who CAN legally get a worker fired for refusing to fork over money to a union the worker doesn't support would get the idea Big Labor can also get a worker fired for refusing to obey strike orders?"

# Tax Burdens Heavier in Forced-Dues States

## Lower Housing, Energy Costs Magnify Right to Work Tax Advantage

On April 16, according to the nonpartisan, Washington, D.C.-based Tax Foundation, “Tax Freedom Day” (TFD) 2019 finally arrived.

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

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 “\$3.42 trillion in federal taxes and \$1.86 trillion in state and local taxes, for a total tax bill of \$5.29 trillion . . . .” That’s 29% of all the nation’s income.

### In Right to Work States, Employees Get Nearly Two Extra Weeks’ Take-Home Pay

Besides calculating when TFD comes annually each year in the nation as a whole, the Tax Foundation calculates when TFD arrives in each of the 50 states.

Not surprisingly, the burden of taxation is not borne equally by all Americans.

Several factors significantly influence when TFD comes for individual taxpayers

and households.

The Tax Foundation highlighted two in its report: The total tax burden borne by residents of different states varies considerably due to differing state policies and the progressivity of the federal tax system.

Soon after the Tax Foundation issued its report on TFD 2019, the National Institute for Labor Relations Research calculated average TFD’s for the 27 Right to Work states as a group and the 23 forced-dues states as a group.

To derive aggregate TFD’s for states where compulsory union dues are either permitted or prohibited, the Institute used state personal income data for 2018 as reported by the U.S. Commerce Department and the estimated 2019 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 30.6% of their total personal income in taxes.

“That’s a 13% higher share than the Right to Work state average,” commented National Right to Work Committee Vice President Greg Mourad.

“TFD in compulsory-unionism states as a group didn’t come until April 22 this year.

“In contrast, TFD in Right to Work states as a group came on April 9, or

nearly two weeks earlier than the forced-unionism average.”

### Cost of Living-Adjusted Employee Compensation Higher In Right to Work States

Mr. Mourad continued:

“In part, TFD comes significantly earlier in Right to Work states than in forced-unionism states 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 27.6% more expensive to live in than Right to Work states in 2018.

Thirteen of the 14 most affordable states have Right to Work laws on the books, but not one of the 14 least affordable states has one.

When cost-of-living differences are factored in, the average compensation per employee is higher in Right to Work states than in forced-unionism states.

However, progressive federal income taxes are levied on nominal, rather than cost of living-adjusted incomes.

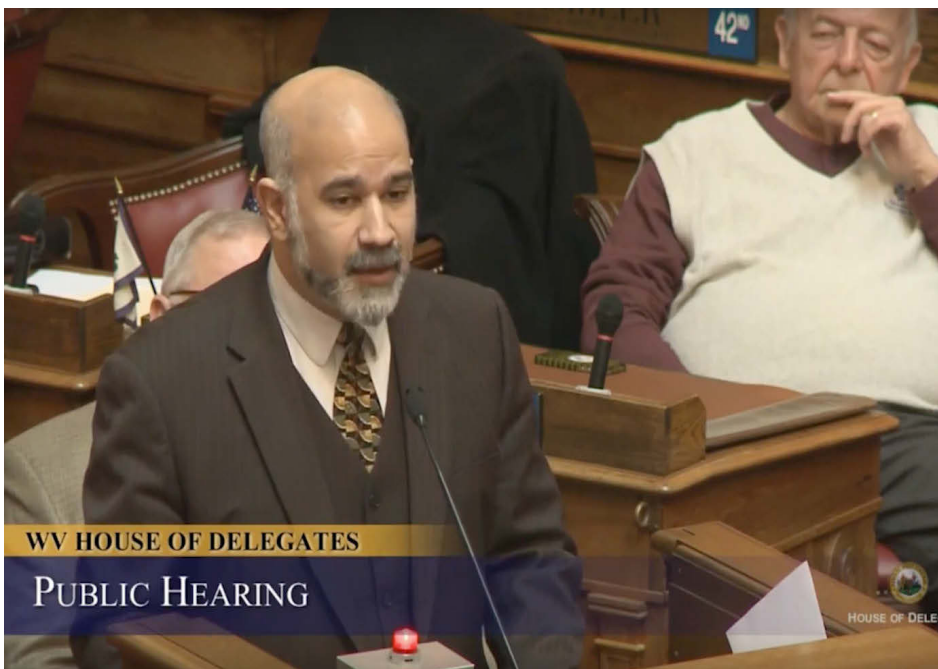
### Households in High-Cost Big Labor Stronghold States ‘Get Socked Twice’

Consequently, explained Mr. Mourad, 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. Mourad noted.

“And then they have to pay the same federal 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. Mourad, 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 Greg Mourad (shown here testifying in favor of state Right to Work legislation in West Virginia): “On average, forced-dues state residents fork over a 13% higher share of their income in taxes.”

Credit: West Virginia House of Delegates



# Most Massive Political Machine

Continued from page 8

published in July 2012 explained, a large share of Big Labor's forced dues-funded political war chest is spent "paying teams of political hands to contact members [and their families]."

The political hands' job is browbeating all the voters in union households into agreement with union official positions on election issues and "trying to make sure they vote for union-endorsed candidates."

Though the *Journal* article didn't mention it, a second important function of forced dues-bankrolled union political operatives is to push up turnout in neighborhoods where, Organized Labor calculates, a very high share of voters will cast their ballots for union-endorsed candidates.

Big Labor political and lobbying expenditures reported on LM-2 forms are the single largest component of the union electioneering machine.

## Many Deeply Political Unions Don't Have To File LM-2's

But there is plenty LM-2's don't cover.

"Government unions that have no private-sector members, including many affiliates of the National Education Association union and other deeply political state and local unions, don't have to file LM-2's," noted Mark Mix, president of the Right to Work Foundation and the National Right to Work Committee.

"The Institute analysis identified political spending by such government unions as reported to state and local government monitors, and tracked on the FollowTheMoney.org web site.

"In the aggregate, such reports show union bosses spent a total of \$479 million on state and local politics in 2017 and 2018."

## Many Political Expenditures Appear to Be Mislabeled as 'Contributions' or 'Gifts'

"Union PAC and '527 group' expenditures not reported elsewhere add another \$144 million to the 2017-18 war chest," Mr. Mix continued.

"Unlike business and other interest-group political spending, Big Labor's 'in-kind' expenditures on politics are financed largely by forced-dues and forced-fee money, often paid by workers who aren't union members and who personally

oppose the union-boss agenda.

"Compulsory-dues privileges made it possible for Big Labor to spend more than \$2 billion on electioneering and other ideological schemes over the past two years."

One should consider \$2 billion to be a conservative estimate, explained Mr. Mix, because the Institute opted virtually to ignore the \$514 million in supposedly nonpolitical, non-lobbying "contributions, gifts and grants" LM-2-filing unions reported making in 2017 and 2018.

"It's reasonable to estimate that at least half of the \$500 million in contributions, gifts and grants that Big Labor didn't classify as 'political' were, in reality, political," he said.

"For example, union bosses made millions of dollars in putatively 'nonpolitical' contributions to the radical Democracy Alliance's 'State Victory Fund' and the anti-Right to Work front group 'We Are Missouri.'

"Out of extreme caution, the Institute chose to count less than 3% of the \$514 million in union contributions and gifts as political, although the reality is that hundreds of millions of dollars categorized as such evidently went to political and ideological groups.

"Fortunately, throughout the 2019-20 election cycle, public-sector employees in all 50 states will enjoy Right to Work

protections thanks to the Supreme Court's *Janus* decision, argued and won by Foundation staff attorney William Messenger.

"Moreover, 27 states now have Right to Work laws on the books prohibiting forced union membership, dues and fees in the private sector.

"Along with civil servants, private-sector employees in Right to Work states are protected from being forced to bankroll Big Labor's favored causes and candidates."

## Federal Lawmakers Have An Obligation to Act To Protect the First Amendment

But it remains Congress' obligation to crack down on forced-dues politicking and protect the free-speech rights of private-sector employees across the nation.

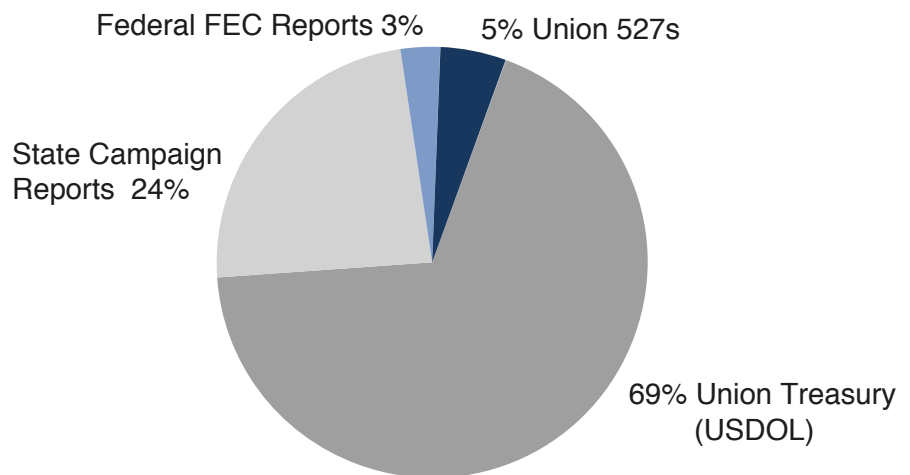
This objective can be accomplished through passage of a national Right to Work law that repeals the handful of provisions in federal labor law under which millions of employees are still being forced to bankroll unions.

Legislation known as the National Right to Work Act has been introduced in the U.S. Senate as S.525 and is expected to be introduced very soon in the U.S. House.

Once federal forced-dues repeal measures are before both the Senate and the House, the Committee will begin mobilizing freedom-loving citizens nationwide to push for committee hearings and floor votes. 📌

## Big Labor Spent \$2 Billion on 2018 Politics

National Institute for Labor Relations Research's 2018 Election Cycle Fact Sheet



Union-boss political and lobbying expenditures reported to the U.S. Labor Department on LM-2 forms are the single largest component of the Big Labor electioneering machine. But there is plenty LM-2's don't cover.

# Big Labor Spends *How Much* on Politics?

## *Union Electioneering/Lobbying Cost Over \$2 Billion in 2017-18*

Drawing on data furnished by four major public-disclosure resources, the National Institute for Labor Relations Research has recently, and conservatively, estimated that Big Labor spent more than \$2 billion on politics and lobbying in 2017 and 2018.

The Institute's fact sheet analyzing union bigwigs' expenditures over the past two years intended to "influence the selection, nomination, election, or appointment of anyone" to "public office" and/or mold public policy through other means was published on April 23.

(To access a copy, go to <https://nilrr.org/2019/04/23/big-labor-the-number-one-special-interest-spent-2-billion-to-influence-the-2018-elections/> on the Internet.)

### **Big Labor Controls the Most Massive Political Machine in America**

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

Poor-mouthing union chiefs and supposedly "nonpartisan" monitors like the Center for Responsive Politics have long fostered the false impression that Big Labor PAC and Section 527 expenditures, respectively reported to the Federal Election Commission and the IRS, represent all union-boss electioneering.

But the LM-2 forms that unions with

annual revenues exceeding \$250,000 and at least some private-sector members are required to file with the U.S. Labor Department, along with other publicly available resources, show union officials actually control by far the most massive political machine in America.

### **Federal Law Forces Private-Sector Workers To Bankroll Unions**

In 2003, then-President George W. Bush's Labor Department revised LM-2 forms with the avowed goal of helping millions of private-sector workers who are forced to pay union dues or fees as a job condition get a better idea of where their conscripted money is going.

This was a worthwhile initiative.

Current federal laws, as interpreted by the judiciary, authorize the firing of private-sector employees for refusal to pay for unwanted union monopoly bargaining, unless the employees are protected by a state Right to Work law.

But the U.S. Supreme Court, in multiple precedents argued and won by National Right to Work Legal Defense Foundation attorneys, has established that private-sector employees may not legally be terminated for refusal to pay for Big Labor's non-bargaining activities -- regardless of where they live.

And just last year, the High Court concluded in the Foundation case it most recently heard, *Janus v. AFSCME Council*

31, that the extraction of forced union dues and fees from public-sector workers to bankroll any union activity violates the First Amendment and is therefore prohibited.

Unfortunately, in a misguided and futile attempt to appease the union brass, Bush officials failed to require private-sector union reports to strictly segregate all bargaining and non-bargaining activities in the revised LM-2's.

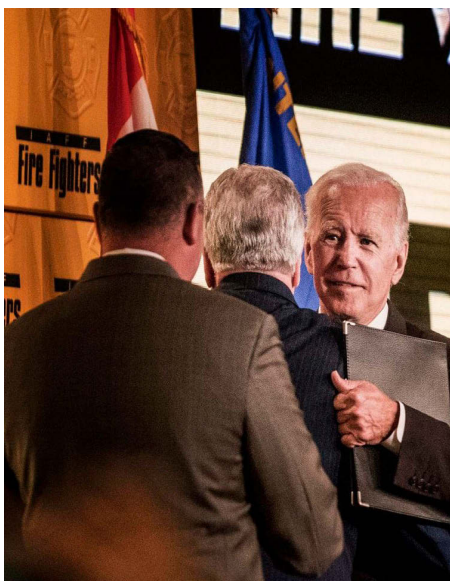
Nevertheless, since the LM-2 revision withstood an extended Big Labor court challenge and took effect roughly 15 years ago, union officials have been required to report each year how much they spend on two major non-bargaining activities -- electioneering and lobbying.

The Institute review of all LM-2 forms filed for 2017 and 2018 shows that unions filing such forms spent a total of \$1.37 billion from union treasuries, which overwhelmingly consist of forced and coerced union dues and fees, on "politics and lobbying" over those two years alone.

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

Such forced dues-fueled spending pays for phone banks, get-out-the-vote drives, propaganda mailings, and other so-called "in-kind support" for candidates.

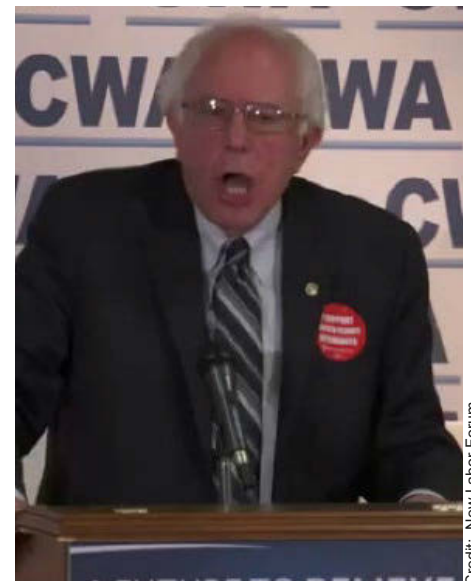
As a front-page Wall Street *Journal* article by Tom McGinty and Brody Mullins See **Most Massive** page 7



Credit: Melina Mara/Washington Post



Credit: Jessie Jesson/UAW Local 686



Credit: New Labor Forum

Unlike business and other interest-group political spending, Big Labor's "in-kind" expenditures on politics and lobbying are financed largely by conscripted money, often paid by workers who aren't even union members and who oppose the union-boss agenda.