



# NATIONAL RIGHT TO WORK NEWSLETTER

VOLUME 65, NUMBER 10

[www.nrtwc.org](http://www.nrtwc.org)

October 2019

## Lead a Church Assault, Get Off Scot-Free? *Legislation Would Rescind Big Labor Thugs' 'License to Extort'*

More than three-and-a-half years after they allegedly led a savage assault on tradesmen employed at a church-owned construction site in northwestern Indiana, two officers of AFL-CIO-affiliated Iron Workers Local 395 are finally expected, late this month, to be tried for violating the Hobbs Anti-Extortion Act.

During the assault, union goons are accused of having thrown to the ground Scott Kudingo, an employee of the Cary, Ill.-based firm D5 Iron Works, Inc., and then, “clubbing, kicking and punching” him, “in the face, arms, back and body.”

Mr. Kudingo’s jaw was “shattered and broken in two other places.”

And at least some of the union toughs

who kicked him in the face and back are believed to have been wearing “steel toe boots.”

### Witness After Witness ID'd Local 395 Chiefs as Participants in Assault

As journalist Connor Wolf explained in a February 2017 report for *Inside Sources*, based in part on witness statements taken by the local police right after the incident, there is ample evidence that top officers of Local 395, based in Portage, Ind., participated in the church attack.

Witness after witness ID'd Local 395

President Jeffrey Veach and Business Agent Thomas Williamson Sr., joined by roughly 10 henchmen, as having attacked D5 Iron Works tradesmen at the construction site in Dyer, Ind.

Moreover, photographs taken by the victims with their cell phones show at least two vehicles registered with Local 395 as the owner were parked at the scene during the attack.

Mr. Veach and Mr. Williamson (who retired from his post as a union business agent in 2016) were finally indicted for violating the Hobbs Act in August 2018, more than two-and-a-half years after the savage assault in Dyer.

They pleaded not guilty and were released on bond.

But rather than testify about what they were supposedly doing on the afternoon of January 7, 2016, other than leading an attack on union-free construction employees, they have repeatedly invoked their Fifth Amendment right not to incriminate themselves.

The Dyer Police Department investigated the assault complaints against Local 395 bosses and other union militants, but it has never taken any action against the alleged assailants.

Instead, Dyer law enforcement turned the case over to the U.S. Labor and Justice Departments.

### Obama Federal Appointees Appeared to Make Little Progress on Investigation

As long as Obama Administration appointees continued to occupy key positions in these two agencies, the federal criminal probe of the extortionate violence used against D5 Iron Works employees

*See Congress page 2*



In 1973, a divided High Court exempted violence against employees like truck driver James McCain (bashed in the head by a forced-unionism militant’s brick) from Hobbs Act prosecutions if the perpetrator has “legitimate union objectives.”

# Congress Can Close Loophole

Continued from page 1

and the company itself seemed to make little progress.

But late last summer, Mr. Veach and Mr. Williamson were at last indicted for conspiring “to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion.”

Prior to their indictment under the federal Hobbs Act, the only charges faced by Local 395 kingpins in connection with the church assault stemmed from a federal civil suit filed by D5 Iron Works, its owner, Mr. Kudingo, and other tradesmen.

According to the amended complaint filed by the plaintiffs in *D5 Iron Works v. Iron Workers Local 395* in 2017, on January 6, 2016, one day before the assault, Mr. Williamson intruded on the site where the Plum Creek Christian Academy (PCCA) was being expanded.

Mr. Williamson ignored an admonition from D5 Iron Works President Richard Lindner, who was then operating a crane on the site, to leave because he was interfering with business operations and trespassing.

Undeterred, the union business agent went on to pressure Mr. Lindner to convert his union-free project into a union-only one.

Mr. Lindner refused.

At roughly 3 PM the following day, according to the civil complaint, a Local 395 assault team stormed the PCCA construction site.

As the assailants proceeded to shatter Mr. Kudingo’s jaw, they allegedly screamed at him: “This is union work! This is 395’s work! This is 395’s territory! Don’t come back!”

## Veach, Williamson Lawyers Have Already Invoked *Enmons* to Get Their Clients Off the Hook

Mr. Lindner was able to escape by scaling a construction fence. He promptly contacted authorities.

Iron worker Joe Weil was less fortunate. He was repeatedly beaten with wooden boards and “suffered injuries to his person, including but not limited to having a boot-shaped welt mark on his back.” (Mr. Weil has since passed away.)

After the criminal assault at the PCCA site, D5 Iron Works had to cease all work on the school expansion.

Mr. Kudingo was hospitalized and had to have his jaw wired shut for roughly three months.

Today, Mr. Lindner, Mr. Kudingo, and their colleagues continue to live in fear of future Big Labor violence directed at themselves or their families.

Because D5 Iron Works and the PCCA site are located in two different states, Local 395 officials are seemingly prosecutable under the Hobbs Act, which prohibits the use of extortionate threats and violence in interstate commerce.

Unfortunately, nearly half a century ago, the U.S. Supreme Court’s controversial, 5-4 *U.S. v. Enmons* decision exempted threats, vandalism and violence perpetrated to secure “legitimate” union goals from Hobbs Act prosecutions.

National Right to Work Committee President Mark Mix commented:

“The legal loophole created by *U.S. v. Enmons* in 1973 often makes it extraordinarily difficult to prosecute union thugs.”

Not surprisingly, the criminal lawyers defending Jeffrey Veach and Thomas Williamson have already repeatedly invoked *Enmons* in their attempts to get their Big Labor clients off the hook.

In a joint motion filed this March, for example, the lawyers contended that the charges “should be dismissed,” because “the facts alleged” describe “‘legitimate union objectives,’ which were specifically exempted from the reach” of the Hobbs Act by *Enmons*.

This strategy hasn’t worked -- yet. In June, U.S. District Judge Theresa

Springmann rejected the defendants’ motion for dismissal. Her understanding of the law is that *Enmons* does not protect Mr. Veach and Mr. Williamson because their targets were a nonunion business owner and his employees.

“Thanks to Judge Springmann’s order, the *Enmons* defense is off the table for now,” explained Mr. Mix.

“But if Jeffrey Veach and Thomas Williamson are convicted, their attorneys can and surely will appeal the verdict on the grounds that the judge interpreted the *Enmons* precedent too narrowly!”

## Common-Sense Reform Would Overturn *Enmons*, Hold Thugs Accountable

To prevent rogue union bosses from getting away with violence and extortion in the future, the Committee and its members are now pushing for Congress to overturn the *Enmons* decision.

Last month, Congressman Francis Rooney (R-Fla.) introduced the Freedom from Union Violence Act, a measure that would overturn *Enmons* and hold union bosses who orchestrate threats and violence accountable under the Hobbs Act.

“Because *Enmons* interpreted a statute, not the Constitution, Congress wields the power to reverse it legislatively,” explained Mr. Mix.

“And the Committee has already begun mobilizing members and supporters nationwide to contact their elected officials and build Capitol Hill support for the Freedom from Union Violence Act.” 📌



Credit: Bill Clark/CQ Roll Call via AP

Last month, Congressman Francis Rooney (R-Fla.) introduced legislation that would help prevent lawless union bosses from getting away with violence and extortion in the future. Committee members are now helping him mobilize support for it.

# Steel Production's 'Future' Resides in Arkansas

## Right to Work State Hosts 'Cleanest,' 'Fastest-Growing' U.S. Mill

It was just five years ago this September that a brand-new company known as Big River Steel (BRS) broke ground on a \$1.2 billion facility in a small town located in Right to Work Arkansas.

The BRS Flex Mill™ in Osceola, Ark. (with an estimated population of roughly 7,000) has been in operation only since early 2017.

(As BRS has explained, a Flex Mill™ is a “steel mini mill focused on the production of a wide product spectrum, including automotive steels and electrical steels.” The Osceola mill is the first such facility in the world.)

Just over two-and-a-half years later, it is “producing 4,500 tons of hot-rolled steel each day or about 1.65 million yearly,” according to a recent report for *Forbes* magazine by business journalist Jonathan Ponciano.

The headline for Mr. Ponciano's article about BRS calls the company “America's cleanest and fastest-growing steelmaker.”

### By 2017, Right to Work States' Share of U.S. Primary-Metals Output Had Risen to 62.1%

And the remarkable success of this young manufacturing business and its employees vividly illustrates how the future of U.S. metal production is located in states with Right to Work laws.

Data from the U.S. Commerce Department's Bureau of Economic Analysis (BEA) website clearly show America's new metal manufacturing industry is located in states that legally protect employees' freedom to work without being forced to join or bankroll a union.

As recently as 2007, according to the BEA, just 32.5% of America's \$51.33 billion (in 2012 dollars) in primary-metals manufacturing emanated from the 22 states that then had Right to Work laws on the books.

By 2017, the most recent year for which state data are available, the entire U.S. primary-metals-manufacturing GDP had risen to \$68.61 billion in constant 2012 dollars, a gain of nearly 34%.

And, within just a decade, Right to Work states' share of all U.S. primary-metals output had risen to 62.1%!

National Right to Work Committee Vice President Matthew Leen explained:

“Right to Work states' new dominance



**According to *Forbes* magazine, the cash flow per union-free employee at Big River Steel is nine times as great as per union-encumbered employee at U.S. Steel. Not surprisingly, BRS jobs pay “impossibly well.”**

of metal-industry output is partly a consequence of the passage and implementation since early 2012 of new Right to Work laws in five states, including Indiana, the top producer in the country.

“But that's far from the whole story. From 2007-2017, real primary-metals-manufacturing GDP in the 22 states that had Right to Work laws on the books for the whole decade soared by 35.6%.

“That aggregate percentage increase is nearly 80% greater than the overall gain for the 23 states that still lack Right to Work protections today.”

### Highly Productive Workers Earned an Average of \$129,000 In 2018, Including Bonus Pay

Mr. Leen added that the new facilities springing up in Right to Work states like Arkansas are extraordinarily efficient, and production employees' pay reflects that fact.

According to Mr. Ponciano, the cash flow per union-free employee at BRS, the “most technologically advanced” steel producer in North America, is “a whopping \$557,000.”

That's roughly nine times as great as the \$61,000 cash flow per union-impaired employee at troubled U.S. Steel.

And last year, Mr. Ponciano added, the

average BRS production worker earned \$129,000, including bonus pay, in a state where the cost of living is 12% below the national average, according to the nonpartisan Missouri Economic Research and Information Center.

### Right to Work Laws Foster 'An Ideal Environment For Modern Manufacturing'

In the words of *New Yorker* contributor Benjamin Wallace-Wells, who at a visit to Osceola last year witnessed “a young man in a new BMW 3 Series” whizzing by on his way to his shift, BRS jobs pay “impossibly well.”

“The manufacturing jobs of the 21st Century require employees who are willing and able to develop their skills and show individual initiative,” noted Mr. Leen.

“Right to Work laws foster an ideal environment for modern manufacturing by empowering the individual employee.

“First and foremost, they empower employees who disagree with Big Labor obstruction and ‘hate the boss’ class warfare to resist by quitting the union and withholding all financial support for it.

“That's a key reason why the 27 Right to Work states are attracting a wide array of high-paying manufacturing jobs and businesses.”

# Right to Work's Spread Scares NEA Union Dons

## *Teachers With Free Choice Have Long Been Fleeing Union in Droves*

Only a year-and-a-half ago, government union bosses wielded the power to get teachers and other public employees in more than 20 states fired simply for refusal to pay dues or fees to a union they didn't want, and may have never wanted.

But since June 2018, thanks to the landmark Supreme Court victory won that month by the National Right to Work Legal Defense Foundation, its legal partners, and their civil service client in *Janus v. AFSCME Council 31*, forced financial support for government unions has been legally prohibited nationwide.

"For Right to Work members and supporters, the main achievement of *Janus* is to give a real choice to millions of Americans who previously didn't have a choice about whether or not to support a union financially," said National Right to Work Committee Vice President Mary King.

"No one can yet say how large a share of liberated civil servants, in states like California and New York, will exercise their right to stop bankrolling Big Labor.

"However, data on government union membership trends for states where public employees' Right to Work was protected pre-*Janus*, compared to data for the states where it wasn't, are illuminating."

### Losses For NEA Union Bosses Must Run Into the Hundreds Of Millions of Dollars

In an analysis published by *The 74 Million* this August, Mike Antonucci of the Education Intelligence Agency dug into the pre-*Janus* membership data for America's largest government-sector union, the radical National Education Association (NEA).

The data cited by Mr. Antonucci show that, between the 2008-2009 and the 2017-18 school years, "NEA's active membership -- that is, members working in public schools and universities, excluding retirees and students," declined by 9.0%, from 2.885 million to 2.626 million.

In states where teacher unionism was compulsory prior to *Janus*, there

was actually an overall increase in NEA membership over this period.

But in the 24 states where public educators' Right to Work was protected for the entire period in question, the NEA union's working membership fell by 25.2%, or nearly 200,000.

Dues-paying membership for the massive government union also fell sharply in states like Wisconsin and Michigan, which went Right to Work after 2008.

Altogether, the NEA empire is undoubtedly already losing hundreds of millions of dollars in dues each year as a consequence of individuals having a right to choose to support the union, or not.

### Big Labor Officials Can't Possibly Believe Their Own Rhetoric About *Janus*

Ms. King commented: "The fact is, teachers with a free choice regarding union membership have for many years already been fleeing the NEA union and its state and local subsidiaries in droves.

"This is true both of longtime Right to Work states like North Carolina, where the teacher union hierarchy has never been able to compel support, and of recent Right to Work states like Wisconsin, where the NEA-affiliated Wisconsin Education Association Council union was, until recently, a political powerhouse.

"Now NEA bosses are typically pretending, in their public statements, that the very Right to Work protections that have undercut their union's operations for years in states where they were approved by statute will hardly affect union operations at all now that they are nationwide, thanks to *Janus*.

"Of course, NEA kingpins don't really believe their *Janus* 'happy talk.'

"If they did, they wouldn't be pushing for passage of laws, in state after state, that obstruct teachers and other public servants who are union members from resigning so they can exercise their *Janus* rights.

"Ever since and even before *Janus* came down, the National Right to Work Committee and its millions of members across the country have been fighting back against such political schemes.

"We are doing everything we can to make sure the right not to support a government union recognized by the Supreme Court last year is truly practicable, and not just theoretical." 📌

### States With the Greatest Percentage Declines In NEA Union Government Unionism, From 2008-18

STATE	ABSOLUTE LOSS	PERCENTAGE LOSS
Wisconsin *	56.0 thousand	64.3 percent
North Carolina	29.9 thousand	61.9 percent
Nevada	13.8 thousand	55.4 percent
Arizona	14.1 thousand	44.7 percent
Tennessee	20.5 thousand	43.9 percent
Arkansas	5.2 thousand	38.6 percent
Georgia	12.0 thousand	36.6 percent
Utah	8.4 thousand	35.0 percent
South Carolina	3.0 thousand	33.8 percent
Oklahoma	8.3 thousand	33.7 percent
Louisiana	4.5 thousand	32.1 percent
West Virginia **	3.8 thousand	31.8 percent
Michigan **	38.1 thousand	30.5 percent
Virginia	17.2 thousand	30.3 percent

**All 14 of these states are now Right to Work.**

Source: Education Intelligence Agency

\* Wisconsin became Right to Work for teachers in 2011.

\*\* Michigan and West Virginia became Right to Work in 2013 and 2016, respectively.

As journalist Mike Antonucci recently pointed out, there are 14 states in which the number of working NEA union members fell by more than 30% between 2008-9 and 2017-18. All 14 are now Right to Work states.

# Workers Sue Forced Unionism-Appeasing Governor Ohio Officeholders Continue to Enforce Illegal Union Policies

Jared Allen, an independent-minded resident of Franklin County, Ohio, who works for the Ohio Environmental Protection Agency (EPA), was delighted when he learned last year about the U.S. Supreme Court's landmark decision in *Janus v. American Federation of State, County & Municipal Employees (AFSCME) Council 31*.

On June 27, 2018, the High 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 . . . ."

(The *Janus* case was argued and won on behalf of Illinois civil servant Mark Janus by National Right to Work Legal Defense Foundation attorney William Messenger.)

At the time the *Janus* ruling came down, Ohio was one of the 24 states that either statutorily authorized or tolerated the extraction of forced union dues and fees from employees as a condition of working for the taxpayer.

And Mr. Allen was one of countless thousands of civil servants who were bankrolling a union against their will because of Ohio's coercive labor policies.

Under duress, he had agreed to allow government officials to deduct dues from his paychecks and funnel them to the coffers of the Ohio Civil Service Employees Association (OCSEA) union, which is a subsidiary of AFSCME.

## 'Immediately Cease Deducting Any and All Union Dues Or Fees From My Paychecks'

After *Janus*, Mr. Allen assumed things would be different.

That's why he was gravely disappointed when a human resources official told him, 20 days after the *Janus* decision announcement, that he would not be able to cut off his financial support for the OSCEA for roughly another two-and-a-half years, shortly before the expiration of the union contract!

Distressed as he was, Mr. Allen was undeterred. After researching the issue with the Right to Work Foundation's assistance, he concluded the state government had no authority, under *Janus*, to bar him from exercising his First Amendment right not to subsidize OCSEA



Credit: AP, via WLWT/NBC (Cincinnati)

**Mike DeWine voted for forced unionism as a U.S. senator in 1996. He has not changed his stripes.**

bosses and their speech except between December 30, 2020 and January 29, 2021.

This February 14, Mr. Allen tried to vindicate his *Janus* rights again. On that day, he sent, by certified mail, letters to his state employer and to OCSEA headquarters insisting "you immediately cease deducting any and all union dues or fees from my paychecks."

## Union Bosses Face Potential Aggregate Loss of Billions

Unfortunately, both the Ohio EPA and the OCSEA union brass chose to ignore Mr. Allen's admonition that dues money could not be constitutionally deducted from his paychecks without his "affirmative consent."

That left Mr. Allen with no real choice except to go to court.

On August 27, Foundation attorneys

filed a federal class action lawsuit, challenging the state's enforcement of illegal restrictions on union withdrawals on behalf of Mr. Allen and four other Ohio civil servants whose First Amendment rights have been similarly trampled.

With the enthusiastic help of top bosses of the OCSEA union (also known as AFSCME Local 11), Big Labor GOP Gov. Mike DeWine and other Ohio state officials are currently barring tens of thousands of state workers from exercising their *Janus* rights at least until the end of 2020.

As a class action, the *Allen* complaint is designed to end all such restrictions for all state employees.

"Gov. DeWine and Matthew Damschroder, head of the Department of Administrative Services, are named as defendants because the state is seizing dues from workers' paychecks and enforcing restrictions on resignations," explained Mark Mix, president of the Foundation and the National Right to Work Committee.

"Were it not for compliant politicians like Mr. DeWine and bureaucrats like Mr. Damschroder, government union bosses who face the potential loss of billions of dollars in coerced union dues and fees thanks to *Janus* would have little ability to stop civil servants from exercising their First Amendment rights.

"Ohio is just one of 19 states whose top public officials were notified by the Foundation last year, soon after *Janus* was announced, that they would face litigation if they didn't cease collecting union dues from government employees without their consent. Unless they change course soon, many other state executives could soon face *Allen*-style litigation." 📌

## NATIONAL RIGHT TO WORK NEWSLETTER

[www.nrtwc.org](http://www.nrtwc.org)

October 2019

Written and Distributed by:

**National Right to Work Committee®**

8001 Braddock Road  
Springfield, Va. 22160  
E-mail: [Members@NRTW.org](mailto:Members@NRTW.org)

**Stanley Greer** Newsletter Editor  
**Greg Mourad** Vice President  
**John Kalb** Vice President  
**Mary King** Vice President  
**Matthew Leen** Vice President  
**Stephen Goodrick** Vice President  
**Mark Mix** President

Editorial comments only: [stg@nrtwc.org](mailto:stg@nrtwc.org)

Contact the Membership Department by phoning 1-800-325-RTWC (7892) or (703) 321-9820 if you wish to:

- Report address changes or corrections
- Receive the NEWSLETTER or request, renew, or cancel Committee membership
- Obtain more information

Because of NRTWC's tax-exempt status under IRC Sec. 501 (C)(4) and its state and federal legislative activities, contributions are not tax deductible as charitable contributions (IRC § 170) or as business deductions (IRC § 162(e)(1)).

© 2019 by the National Right to Work Committee®. Permission to reprint individual articles granted. Credit requested.

# ‘Federal Racketeering Case Against UAW’ Looms?

## *Residences of Current and Former Union Chiefs Raided by FBI, IRS*

Four years after the FBI launched a corruption probe into the misappropriation of millions of dollars supposedly allocated for training union members by United Auto Workers (UAW) union bosses and corporate executives, the criminal investigation is metastasizing.

In fact, the headline of a Detroit *News* story published in the paper’s August 29 print edition went so far as to suggest that a “federal racketeering case against” the UAW union itself is increasingly likely.

In the words of *News* reporters Ian Thibodeau, Robert Snell, and Keith Laing, on August 28:

The FBI “raided the home of UAW President Gary Jones and five other homes or offices of former UAW officials around the country . . . signaling the federal government could now be targeting,” Mr. Jones.

The agency is continuing to investigate “bribes, kickbacks and attempts by auto executives to influence negotiations with the UAW . . . . The home of former UAW President Dennis Williams was included in the Wednesday raids.”

While Mr. Jones and Mr. Williams had not been charged with a crime as this Newsletter edition went to press just after Labor Day; five UAW officials involved in the scandal have been convicted.

### **Evidence Collected Included “Wads” of Cash and Files**

The raids on the Jones and Williams homes could be a sign “the U.S. Attorney’s office feels it has reached a dead-end and [is] getting stonewalled,” according to Peter Henning, a Michigan law professor and former federal prosecutor quoted by the *News*.

The next step, suggested Prof. Henning, might be for the Justice Department to turn control of the UAW over to a “trustee or monitor,” who could “come in and open up the books and make them available to the U.S. Attorney’s Office.”

A separate August 29 story for the *News* said the raids of UAW bosses’ homes and offices had allegedly “uncovered evidence” that “could bolster federal investigations into UAW leaders spending of [often forced] dues” paid by blue-collar workers “on personal luxuries, vacations, and private villas . . . .”

The evidence collected reportedly included, “‘wads’ of cash,” along with “files” that UAW bosses had apparently failed to turn over to federal authorities



**The FBI’s August 28 raids on the home of UAW President Gary Jones (inset), and “five other homes or offices of former UAW officials around the country,” indicate “the federal government could now be targeting” Mr. Jones.**

over the past four years.

Along with FBI agents, representatives of the IRS and the U.S. Labor Department participated in the raid on Mr. Jones’ residence.

While the FBI is not saying exactly what it was looking for, the *News* recalled that last year federal investigators let it be known that they were “questioning UAW officials’ use of almost \$1 million of membership dues on liquor, food and golf” in Palm Springs, Calif.

Mr. Jones, the *News* added, held annual conferences in Palm Springs before ascending to the UAW presidency in 2018.

### **Roll-Back of Union Financial Disclosure Rules Evidently Facilitated UAW-Boss Fraud**

The ever-expanding UAW/automotive corporate executive scandal, in connection with which nine people have already pleaded guilty to federal labor-law violations by early September, illustrates why Right to Work supporters have fought for years for better federal oversight of union financial schemes.

As the guilty plea entered by former UAW Vice President Norwood Jewell this April acknowledges, over the years, executives of Fiat Chrysler Automobiles (FCA) again and again used the National Training Center (NTC) jointly managed

by the company and the union for illicit purposes.

Specifically, FCA executives used the NTC to furnish Mr. Jewell with lavish gifts at the same time that he was head union negotiator of the workplace contract governing FCA’s front-line employees across the U.S.

Auto executives who sat across the table from Mr. Jewell paid for these gifts with corporate treasury money funneled through the NTC, which as a consequence of a 2010 Obama Administration roll-back of federal oversight of union finances, does not have to disclose to the Labor Department how it spends its funds!

“Unfortunately, President Trump’s first labor secretary, Alexander Acosta, dragged his feet about reinstating the union disclosure requirements quashed by the Obama team during his two-and-a-half years in office,” noted National Right to Work Committee Vice President Greg Mourad.

“It is only now, a couple of months after Mr. Acosta’s resignation, that the Labor Department’s proposed enhanced disclosure rules are finally close to going into effect.

“Until Congress is ready to repeal all the forced-dues and monopoly-bargaining provisions in federal law so that union financial support is completely voluntary, such requirements will be necessary and proper.” 📌

Main photo credit: Juntu Han/Detroit Free Press Inset credit: AP Photo

# Bluegrass State Battlefield

Continued from page 8

three independent-minded employees, defended the ban on forced union 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 statute.

Mr. Mix noted:

"Even as Big Labor lawyers tried unsuccessfully to kill Kentucky's Right to Work law in court in 2017 and 2018, the economic case for the law kept getting stronger and stronger.

"Over the course of those two years, the first two the law was in effect, companies pledged to invest a total of roughly \$14.5 billion in expansions and new facility locations throughout 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."

## 'We Have Never Had Higher Per Capita Income in This State'

In a December 2018 interview with the West Kentucky *Star*, Mr. Bevin enthusiastically summed up the state's recent progress:

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

With the threat of a judicially-imposed reimposition of forced unionism out of the way, 2019 is looking more and more like another great year for Kentucky job seekers.

In May, for example, Dajcor Aluminum, Ltd., a Canadian firm, announced it would locate its first-ever U.S. facility in Hazard, Ky. The investment is expected to create up to 265 full-time jobs.

But Big Labor politician Andy Beshear, who is now state attorney general and is running on the ballot against Mr. Bevin in November, is choosing to ignore the manifest improvement in Kentucky's economy over the past couple of years.

Apparently sensing that it's what he needs to do to garner the enthusiastic support of national union bosses, upon whose money and manpower he is depending, Mr. Beshear is campaigning as a zealous proponent of monopoly privileges for Big Labor.

When speaking to Big Labor audiences on the campaign trail, Mr. Beshear is often quite blunt about his intentions.

## 'The First Thing We're Going to Do Is Support' Right to Work Repeal

A few months ago, he told AFL-CIO chiefs and their militant followers in Paducah, Ky.:

"The first thing we're going to support is a bill that repeals Right to Work, and I'm going to fight like heck to get it passed."

However, Mr. Beshear rarely brings up his pro-forced unionism stance when he is speaking before more diverse Kentucky audiences.

"Andy Beshear knows full well compulsory unionism today is as unpopular as it ever was among ordinary Kentucky employees and other citizens," commented Mr. Mix.

"That's why he's clearly trying to avoid having to acknowledge his pro-forced unionism stance to the vast numbers of Kentuckians whose support he hopes to get in November, despite the fact that they disagree with him about Right to Work.

"However, thanks to the generosity and persistence of National Right to Work members, Mr. Beshear won't be able to get away with it."

## National Committee Ready To Publicize Candidate Positions on Right to Work

Right up through Election Day, the Committee will be mobilizing, through its state Survey 2019 program, identified Right to Work supporters in Kentucky and the handful of other states with competitive state elections this year, to contact their candidates.

"Thanks to the Committee's Survey 2019," explained Mr. Mix, "Andy Beshear and other union-label candidates will have a choice over the next few weeks.

"They can either repudiate their records of supporting forced unionism despite the fact Americans overwhelmingly oppose it, or they can face the potential political consequences."

In addition to asking Mr. Beshear to apologize for having kowtowed to Big Labor in the past and to pledge to support Right to Work in the future, over the next few weeks pro-Right to Work Kentuckians will be asking Mr. Bevin to reaffirm his opposition to forced unionism and union monopoly bargaining. 🗳️



Gubernatorial candidate Andy Beshear (right) is less interested than a cell phone when he gets to talking about his plans to repeal Right to Work protections in Kentucky!

# Big Labor Targets Pro-Right to Work Governor

## *Matt Bevin Signed 2017 Law Banning Forced Union Dues and Fees*

Union bosses are out for revenge in Kentucky.

This fall, GOP Gov. Matt Bevin -- who publicly pledged again and again to sign a ban on compulsory union dues and fees during his successful 2015 campaign to become state chief executive, and fulfilled that promise in January 2017 -- is seeking a second term.

But the national union electioneering machine, which is fueled largely by money that millions of workers across the country are forced to fork over as a job condition, appears to be ready to spend whatever it takes to unseat him.

### **Right to Work Was a 'Major Issue' in 2015 Gubernatorial Campaign**

Four years ago this November, Kentucky voters opted to make Mr. Bevin their governor by a decisive 85,000-vote margin.

And as even the Big Labor front group, "Keep Ohio's Heritage," which union bosses set up specifically for the purpose of safeguarding their forced-dues privileges in the Buckeye State, conceded in a post-election press release, "Right-to-Work . . . was a major issue" in the Kentucky gubernatorial campaign.

The inside-the-Beltway publication *Politico* emphasized that Right to Work supporters as well as opponents carried out major mobilization efforts in October and early November 2015:

"Activists on both sides of the Right-to-Work debate led aggressive outreach in the run-up to the election, and this loss surely stings for the AFL-CIO and its affiliate Working America, which led a massive get-out-the-vote effort," to defeat Mr. Bevin.

Among several groups seeking to inform freedom-loving Kentuckians about the stark contrast between Matt Bevin and pro-forced unionism Democrat nominee Jack Conway on labor policy, the National Right to Work Committee alone contacted 150,000 households with one or more identified Right to Work supporters.

### **In 2016, Kentuckians Sent Union-Label House Speaker, Much of His Caucus Packing**

Even after sending an unmistakable message that they wanted a Right to Work law in 2015, Kentuckians did not get one



Credit: Kentucky Today/Tom Latek

**During the first two years the Right to Work law signed by Gov. Matt Bevin was in effect, companies pledged to invest a total of roughly \$14.5 billion in expansions and new facility locations throughout Kentucky.**

the following year.

Under Big Labor Democrat Speaker Greg Stumbo, the state House of Representatives remained the sole roadblock to a law protecting the individual employee's personal freedom to join and financially support a union, or refuse to do either.

National Right to Work President Mark Mix explained:

"Because the overwhelming majority of the Kentucky Senate had already gone on the record in support of a state law curtailing Big Labor's forced-dues privileges, in 2016 it was up to Speaker Stumbo and his allies to perpetuate them.

"But on November 8, 2016, Mr. Stumbo was defeated, and his caucus shriveled from holding a majority of House seats to holding barely more than a third of them."

As Kentucky's 2017 legislative session convened, the National and Kentucky Right to Work Committees contacted

more than 100,000 households in the state regarding the legislative ban on forced union dues and fees that was about to come up for House and Senate votes.

### **After January 2017, Case For Kentucky Right to Work Law Got Stronger and Stronger**

The Right to Work Bill was soon approved by the state House, 58-39, and cleared the state Senate, 25-12. Mr. Bevin signed it on January 7, 2017.

Since then, just over two-and-a-half years have gone by.

A lawsuit filed by union bosses against the Right to Work law came before the state Supreme Court in 2018.

When it did, National Right to Work Legal Defense Foundation attorney William Messenger, acting on behalf of

*See Bluegrass page 7*