



**National Right to Work Committee**  
A COALITION OF EMPLOYEES AND EMPLOYERS  
NATIONAL HEADQUARTERS BUILDING

October 19, 2021

The Honorable Bill Lee  
Governor of Tennessee  
600 Dr. Martin L. King, Jr. Blvd.  
Nashville, TN 37243  
Sent via fax/email: (615) 532-9711/bill.lee@tn.gov

Dear Governor Lee,

As a supporter of Right to Work in Tennessee, you understand that voluntary, not forced, unionism protects workers' rights and promotes Tennessee's reputation as an attractive place to work and do business.

Today I write to ask that as Tennessee lawmakers consider legislation approving a reported \$500 million in incentives for the placement of a Ford-SK Innovation electric vehicle and battery facility in Western Tennessee, you take action to ensure that state incentives do not subsidize coercive unionism that undermines the worker freedom that Tennessee's Right to Work law stands for.

This must include ensuring that any decision by workers at the new facility regarding whether or not to affiliate with the United Autoworkers (UAW) union or other labor organization be made with the full protections of a secret ballot election, and without any backroom deal between Ford and union officials over the conditions of a unionization drive.

Federal law has long recognized the secret ballot election as the best way for determining whether a majority of workers at a workplace oppose or support affiliation with a labor union.

Despite this union officials, especially at the UAW, frequently seek to bypass federally supervised secret ballot elections in order to impose unionization on entire workplaces from the top down through so-called "Card Check" unionization.

Under Card Check, professional union organizers can spend months pressuring workers into signing union cards that are later counted as "votes" for unionization.

Without the privacy of a secret ballot vote, workers are forced to reveal their position in public and often – as even the AFL-CIO's "Guidebook for Union Organizers" admitted – sign cards simply to get the union off their back and avoid additional harassment.<sup>1</sup> During Card Check drives workers have even reported union organizers resorting to bribes, threats, and lies just to get the cards signed so that unionization can be imposed on the entire workplace.<sup>2</sup>

The people of Tennessee must be assured that workers whose jobs are created as a result of state-provided incentives are not subjected to such coercive Card Check tactics.

This is especially important given Ford and UAW officials' refusal to answer questions regarding current or potential unionization plans for the factory.<sup>3</sup> The fact is, UAW officials have

a long history of cutting backroom organizing agreements with employers, including to bypass secret ballot elections and impose unionization through Card Check.<sup>4</sup>

If Ford's new project receives incentives from Tennessee taxpayers, it must be on the condition that there are no collusive deals between Ford and UAW bosses that undermine workers' freedom to reject union membership, and that any unionization drive at the plant will be through an NLRB-supervised secret ballot election.

Unfortunately there are many examples of employers – especially those with many facilities already under union control – secretly agreeing to assist union organizers in bypassing the secret ballot vote and stifling opposition to unionization, often in exchange for concessions from union officials that come at the expense of rank-and-file workers.

Events in recent years, both at other Tennessee auto plants and within the UAW hierarchy, show the importance of protecting workers against backroom Card Check deals.

For example, in 2014 and 2019, under the protection of a secret ballot vote, workers at Tennessee's Volkswagen plant twice rejected UAW "representation" during NLRB-supervised secret ballot votes despite UAW organizers' claims that a majority of workers had signed union cards.<sup>5</sup>

Especially in the 2019 vote, the ongoing corruption and embezzlement scandal that has resulted in 10 convictions of top UAW officials – including the two most recent former UAW Presidents – has been cited by workers as one key reason for skepticism regarding UAW affiliation.<sup>6</sup>

No union, but especially not one with multiple top officials convicted in federal court of accepting bribes and embezzling workers' dues money, should be allowed to impose unionization on workers by colluding with company officials to bypass a secret ballot vote.

That's why it is critical that any state incentive package include a condition that the decision over whether to unionize the proposed Ford-SK Innovation Western Tennessee plant be made with workers having the full protection of a federally supervised secret ballot vote, and absent any backroom deal between company and UAW officials.

As a pro-Right to Work Governor you understand that coercive unionism is wrong and any worker's decision to affiliate – or not affiliate – with a union ought to be fully voluntary.

Today I ask you to do everything in your power to ensure that the workers whose jobs would be created as a result of Tennessee legislation currently under consideration not be subjected to Card Check or any other coercive UAW organizing tactics.

Sincerely,



Mark Mix  
President, National Right to Work Committee

cc: Speaker of the House Cameron Sexton (speaker.cameron.sexton@capitol.tn.gov)  
Senate Speaker Pro Tempore Ferrell Haile (sen.ferrell.haile@capitol.tn.gov)  
Senate Republican Leader Jack Johnson (sen.jack.johnson@capitol.tn.gov)

*The National Right to Work Committee, established in 1955, is a nonprofit, nonpartisan, single-purpose citizens' organization with 2.8 million members dedicated to the principle that all Americans must have the right to join a union if they choose to, but none should ever be forced to affiliate with a union in order to get or keep a job.*

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<sup>1</sup> Sherk, J. *Unions know that card check does not reveal employees' free choice*. The Heritage Foundation. <https://www.heritage.org/jobs-and-labor/report/unions-know-card-check-does-not-reveal-employees-free-choice>.

<sup>2</sup> "Workers: Don't Sign Away Your Rights" National Right to Work Foundation, <https://www.nrtw.org/pdfs/Card-Check-Deception.pdf>

<sup>3</sup> "As Tennessee lawmakers consider \$500M in Ford incentives, labor issue looms large" Detroit News (Oct. 18, 2021) <https://www.detroitnews.com/story/business/autos/ford/2021/10/18/tennessee-legislators-ford-plant-economic-incentives/5921944001/>

<sup>4</sup> "UAW Model 'Neutrality Agreement'" National Right to Work Foundation, <https://www.nrtw.org/d/uawna.pdf>

<sup>5</sup> "UAW: Most at VW plant have signed union cards" The Blade, (Sept. 11, 2013), <https://www.toledoblade.com/Automotive/2013/09/12/UAW-Most-at-VW-plant-have-signed-union-cards-Copy.html> & "UAW Has Majority Support at VW & More" Payday Report (April 12, 2019) <https://paydayreport.com/uaw-has-majority-support-at-vw-more-newsguild-prez-wont-debate-miss-teachers-move-to-sickout/> & "Union loses again at Volkswagen as Chattanooga workers vote down UAW bid" Chattanooga Times Free Press (June 14, 2019) <https://www.timesfreepress.com/news/breakingnews/story/2019/jun/14/union-story/496765/>

<sup>6</sup> "Second UAW president sentenced to 28 months in prison in union corruption probe" CNBC (June 10, 2021) <https://www.cnbc.com/2021/06/10/second-uaw-president-sentenced-to-prison-in-union-corruption-probe.html>