

# The Facts About Right to Work

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## Real Answers to Real Questions About So-Called "Right-to-Work" Laws

### **Q: What is a so called "Right to Work" Law?**

A: It's a loophole created under Section 14(b) of the National Labor Relations Act (NLRA) that allows a state to enact a law prohibiting union security clauses in union contracts. It was enacted as part of the 1947 Taft-Hartley Act, a major anti-worker overhaul of Federal labor law pushed through by the 80th Congress despite a veto by President Harry Truman. It is worth noting that this was the first Republican controlled Congress since 1932.

### **Q: What's a union security clause?**

A: A union security clause requires all workers who receive the benefits of a collective bargaining agreement (also called a union contract) to share the costs of the administration of that agreement. A Right to Work law prohibits a union security clause thus creating a "Right to Freeload" law.

### **Q: Can workers be forced to join a union before getting a job?**

A: No. Under Federal law no one can be forced to join a union before getting a job. That's called a "closed shop" and has been illegal under the National Labor Relations Act for years.

### **Q: The Right to Work supporters keep talking about "compulsory" unionism. Do all workers have to be union members when there is a union security clause in a contract?**

A: No. "Compulsory" unionism is a boogeyman created by folks with an anti-worker agenda. Again, under Federal law workers can never be forced to join a union even when there is a union security clause in the contract. This has been part of the law for years.

- Read the Case: NLRB v. General Motors Corp., 373 U.S. 734 (1963)

### **Q: Can workers be "forced" to pay for union political activities?**

A: No. Once again, under Federal law workers can never be forced to pay dues for union political activities.

- Read the Case: Communications Workers v. Beck, 487 U.S. 735 (1988)

**Q: Do Right to Work laws affect wages and benefits?**

A: Yes. The real data shows that once "Right to Work" laws are enacted, they lower wages and benefits for all workers. Workers in "Right to Work" states earn far less than their counterparts in Non-Right to Work states. It's the same effect with benefits. For more information take a look at these reports:

- EPI Report on Oklahoma Right to Work Law
- EPI Report on the "Wage Penalty" from Right to Work Laws
- AFL-CIO Report on Wage Penalties from Right to Work Laws
- EPI Report on Non-Union Worker Wage Benefit of Unionism

**Q: Do so called "Right to Work" laws promote new industries and economic development?**

A: No. Companies locate in a state for many reasons. If a company does consider locating in a state because of a "Right to Work" law, it's because of lower wages and benefits. Purposely enacting laws to lower wages and benefits for all workers in order to lure low-paying jobs to the state is not a sound economic plan for Indiana or any other state. Indiana should have a sound economic plan that includes providing high wage jobs with good benefits for working families.

**Q: But won't a "Right to Work" law improve a state's overall business climate?**

A: No. In fact, it has the opposite effect. It will create a climate in which businesses will increase profits because of lower wages but that's not good for the state or its workers. When wages fall, state revenues from income tax and sales tax fall as well. That means the state has far less funding available to finance education, transportation, and other programs that are vital to attracting new industries and businesses.

**Q: So, what about the reports from the National Institute for Labor Relations Research (NILRR) that the "Right to Work" supporters distribute about increased economic development in states with "Right to Work" laws?**

A: The National Institute for Labor Relations Research (NILRR) is an arm of the National Right to Work Committee and they have an anti-union political agenda. Further, many people have raised serious questions and doubts about their research methodology. There are many reports available from reliable sources that completely contradict the NILRR. If you see other reports from Right to Work supporters, look to see if they're quoting data from the NILRR.

**Q: What is the National Right to Work Committee (NRTWC)?**

A: It is an anti-union, special interest, out-of-state organization based in Virginia. It is one of the largest special interest groups behind these so called "Right to Work" laws. It has an anti-union agenda and raises a lot of money to wage war against unions all over the country which, in turn, lowers wages for all workers.

There are actually three branches of the National Right to Work Committee even though they don't appear to be the same organization. Additionally, they set-up or advise state "Right to Work" committees. The three NRTWC branches are:

- National Right to Work Committee (NRTWC)
- National Right to Work Legal Defense Foundation (NRTWLDF)
- National Institute for Labor Relations Research (NILRR)

2003 gross receipts for the National Right to Work Legal Defense Foundation (NRTWLDF) were over 11 million dollars. It is very well funded. Since technically it is a 501(c)(3) "public charity" organization, its IRS Form 990 is available to the public.

**Q: Does a "Right to Work" law guarantee me a job or the "right" to a job?**

A: No. Right to Work laws have nothing to do with creating or providing jobs for workers?

**Q: Does a "Right to Work" law protect me from losing my job?**

A: No. Indiana is an "at-will" employment state which means that you can be fired for any reason or no reason.

**Q: So, under "at-will" employment my employer can fire me for no reason and the "Right to Work" law does nothing to stop this?**

A: Correct. A Right to Work law does not guarantee any right to "work" nor does it stop an employer from firing you under the at-will doctrine.

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