

## The Facts Behind Right to Work Laws

Right to work laws do not guarantee anyone a job and do not protect against unfair firing. The only purpose of a right to work law is to undermine unions, and weaken the best job security protections workers have - the union contract.

A right to work law is a state law that stops employers and employees from negotiating an agreement that requires all workers who receive the benefits of a collective bargaining agreement to pay their share of the costs of representation. Right to Work laws say that unions must represent every eligible employee, whether he or she pays dues or not, but cannot require any employee to pay dues

**Right to work laws aren't fair to dues-paying members.** If a worker who is represented by a union and doesn't pay dues is fired illegally, the union must use its time and money to defend that employee, even if that requires going through a costly, time-consuming legal process. Since the union represents everyone, everyone benefits, so everyone should share in the costs of providing these services. Amazingly, nonmembers who are represented by a union can even sue the union if they think it has not represented them well enough!

**Right to work laws do not benefit workers.** Workers in states with right-to-work laws have a consistently lower quality of life than in other states - lower wages, higher poverty, less access to health care, poorer education for children - according to data from the U.S. Department of Labor and the U.S. Census Bureau.

On average, working families in States with right to work Laws earn \$5,538 a year less than workers in states without these laws. Right to work states spend \$2,671 less per pupil on elementary and secondary education than free-bargaining states. According to data from the Bureau of Labor Statistics, the rate of workplace deaths is 52.9% higher in states with right-to-work laws.

**Right to work laws don't improve living standards.** Overall, union members earn 28 percent (\$198) more per week than nonunion workers. Hispanic union members earn 50 percent (\$258) more each week than nonunion Hispanics and African Americans earn 29 percent (\$168) more each week if they are union members.

In addition, 78 percent of private sector union workers have access to medical insurance through their jobs, compared with 51 percent of nonunion workers. And 77 percent of private sector union workers have access to a guaranteed (defined benefit) retirement plan through their jobs, compared with just 20 percent of nonunion workers. Only 2.9 percent of union workers are uninsured, compared with 14.2 percent of nonunion workers.

**Right to work laws do not strengthen state economies.** We need to strengthen our state economies, and right to work laws would take us in the wrong direction. States without a right to work law have better economic records than states with right to work laws. For employers, a union contract with lower turnover and higher employee morale equals higher productivity. By undermining contracts and depressing wages, a right to work law will reduce expendable consumer income and hurt productivity.

**Right to work laws do not attract new jobs.** Industries locate in a state for many reasons, but a right to work law is not one of them. Factors like workforce productivity, availability of skilled workers, transportation, closeness to markets and materials, quality of life and proximity to research universities are the keys to economic growth. We need to create good jobs throughout our states, but a “right to work law” will not persuade companies to move anywhere.

**No one benefits from right to work laws.** Some low-wage employers might think that they would benefit from weak unions and low wages, but union members are also consumers. Right to work laws undermine the purchasing power of unionized workers. When right to work laws weaken unions and drive down wages and benefits, workers have less to spend and the entire economy – particularly small business--suffers.

**Right to work laws do not promote Individual Freedoms.** No law can force a worker to join a union. The U.S. Supreme Court has ruled that no collective bargaining agreement can require anyone to join a union. Unions and employers may only negotiate contract provisions requiring nonmembers to pay their fair share of the union’s costs in representing them.

Even in right to work states, unions are required to represent all employees covered by a contract members as well as nonmembers. Under federal labor law, unions have the duty to fairly represent all workers covered by a contract. That means nonmembers as well as members get the same wages, hours and working conditions established by the contract. Unions must bargain for everyone and enforce the contract terms for everyone in a fair, honest, nondiscriminatory manner. Unions cannot refuse to pay the costs of arbitrating a grievance simply because it involves a nonmember. A union that violates this duty of fair representation can be sued. This duty of fair representation applies whether or not the state has a right to work law.

In right to work states, union members will be forced to pay not only their own share of representation costs, but also the full costs of those who do not pay their fair share of dues but still receive all of the benefits of union representation.

Right to work laws guarantee no one a job, nor do they provide any due process or just cause protections against unfair firing. By undermining unions, right to work laws would weaken the best job security protections workers have - a grievance procedure that requires employers to have legitimate, job-related reasons for disciplining or discharging an employee. We need to mobilize against, stand up to and defeat right to work legislation wherever it occurs.