

Right to Work Update

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Ironically complaining that President George W. Bush's executive order imposes "substantial administrative burdens" on businesses, three unions and a federally funded union-established corporation quietly filed suit against the Bush Administration. Filed last month, the suit seeks to prevent unionized employees of federal contractors from learning about their rights to be nonmembers and reclaim their forced union dues spent for politics.

The suit is likely to raise many eyebrows, as the same unions that have long claimed to be defenders of workplace rights are now suing to prevent employees from learning about workplace rights.

Multi-union suit filed against Bush Administration

Bush's Executive Order 13201 simply requires federal contractors to post a standard workplace notice informing employees of their rights under the U.S. Supreme Court's decision *Communications Workers v. Beck*, a case won by National Right to Work Foundation attorneys in 1988 establishing that employees cannot be compelled to formally join a union or pay dues spent for politics or any other activities unrelated to collective bargaining. The order, signed on February 17, 2001, only affects a small segment of the 12 million American employees compelled to pay union dues as a condition of employment.

Nevertheless, the UAW union, along with the UAW-Labor Employment and Training Corporation and two affiliates of the Office and Professional Employees International Union, quietly filed the suit last month in the U.S. District Court for the District of Columbia against Secretary of Labor Elaine Chao, Secretary of Defense Donald Rumsfeld, and several other high-ranking Administration officials.

Unions oppose employees' right to know

Union officials can't stand the prospect of even a few workers finding out about their rights and siphoning off money from Big Labor's political empire. That's why AFL-CIO President John Sweeney said he was "appalled and outraged" when Bush originally issued the directive.

Union officials have been fighting attempts to inform workers of their *Beck* rights for years. They convinced former President Bill Clinton to rescind the original *Beck* executive order, which had been issued by the elder President Bush in 1992. And in 1996, union lawyers convinced the National Labor Relations Board (NLRB) to rule in a decision known as *California Saw and Knife Works* that union officials could hide an annual notice of *Beck* rights in a union newsletter – typically a propaganda rag that union dissenters do not read.

NLRB thwarts employee rights

Even after workers find out about their rights, the union-friendly NLRB often acts to make sure they can't exercise those rights. And for many years union lawyers have worked hand-in-glove with NLRB bureaucrats to stifle attempts by workers to exercise their political freedom. In 1994, for example, the NLRB General Counsel's Office instructed all Regional Directors immediately to dismiss *Beck* charges they found unworthy and not to prosecute worthy *Beck* charges, but to banish them to the General Counsel's Division of Advice.

President Bush has an opportunity right now to clean up the NLRB by appointing three individuals to fill current vacancies on the five-member Board.

Right to Work Foundation to intervene on behalf of *Beck*

National Right to Work Foundation attorneys are preparing to intervene in defense of Bush's *Beck* executive order on behalf of workers who have been lied to about their rights or outright threatened by union officials when they tried to reclaim their forced dues spent on electioneering and the like. The Foundation is seeking to file a "friend of the court" brief with the U.S. District Court in defense of the Bush executive order.

Reality Check

"The vast majority of [union] members strongly support the participation of the union in political and legislative activities."

-UAW administrator Wendy Fields Jacobs, testifying in May, 2001
before the House Subcommittee on Workforce Protections

☞ 62 percent of unionized workers do not support the use of their union dues for political activities.

-Lutz Survey Research national poll of union members

*The National Right to Work Legal Defense Foundation is a nonprofit, charitable organization providing free legal aid to employees whose human or civil rights have been violated by compulsory unionism abuses. The Foundation, which can be contacted toll-free at **1-800-336-3600**, is assisting thousands of employees in nearly 500 cases nationwide. Its web site is at **www.nrtw.org**.*

(Call the Foundation for interviews.)