

The Dallas Morning News

Mark Mix: Unions need to back off

Texas employees deserve lawful protection from bullies

08:49 AM CDT on Thursday, August 9, 2007

http://www.dallasnews.com/sharedcontent/dws/dn/opinion/viewpoints/stories/DN-Mix_0809edi.ART.State.Edition1.4289461.html#

Texans have a long and proud tradition of supporting freedom of choice for workers when it comes to union membership. But the Texas Right to Work law – which makes it illegal to compel employees to pay union dues just to get or keep a job – is under attack.

In fact, Texas labor union officials are openly defying the law across the state and bullying workers who resist. These union bosses claim that the law does not apply to certain employees – simply because they say so.

In Corpus Christi, union officials ordered Carlos Banuelos and other guards at a Department of Homeland Security facility to pay union dues or be fired. Mr. Banuelos paid the money under protest while he challenged this extortion before the National Labor Relations Board with free legal help from the National Right to Work Foundation.

However, for veteran El Paso security guard Juan Vielma, the situation was worse. Mr. Vielma was indefinitely "suspended" in June 2006 without pay for refusing to pay dues. Without income for more than a year, Mr. Vielma faced mounting debt and declining health from the emotional strain. And because union officials had him "suspended" – not technically fired – Mr. Vielma was ineligible for any unemployment benefits.

But Mr. Vielma stood strong and fought back. Despite all the hardship, Mr. Vielma proudly told his hometown paper, "I work to get paid; I don't pay to work."

After a yearlong legal battle, National Right to Work Foundation attorneys secured Mr. Vielma's reinstatement and back pay after an NLRB administrative law judge agreed that union bosses unlawfully demanded that he pay dues. But union lawyers are appealing.

Meanwhile, Mr. Banuelos' case is heading for similar prosecution after foundation attorneys filed charges at the agency for him.

A recent admission hints that these violations of Texas' Right to Work law are just the tip of the iceberg. A lawyer for Mr. Vielma's employer admitted the company has contracts "across the country in right-to-work states" that require employees to pay dues.

With such a gutsy admission, Texans would be right to wonder just how many other employees around their state have suffered the same fate as Juan Vielma. More action is needed to put union officials on notice that trampling the Right to Work law won't be tolerated. The Texas attorney general should investigate this scheme statewide and prosecute every violation.

If the Texas Right to Work law isn't vigorously enforced, union officials will be emboldened, with dire economic consequences for the state. Right-to-work laws are an economic boon. In a recent special on CNBC, Texas was rated as the second best state in which to do business. Texas and the other top six states are all longtime right-to-work states.

In fact, according to the U.S. Labor Department, in the past decade, private sector employment grew by 23 percent in Texas and by 20 percent in right-to-work states overall, about double the rate in non-right-to-work states.

States without right-to-work laws have also suffered in terms of real income growth. Between 1995 and 2005, right-to-work states experienced a 37 percent growth in real personal income, while forced unionism states experienced only 26 percent growth in real personal income – 5 percentage points below the national average.

Texans can't afford to let union bosses lead Texas down the path of struggling states like Michigan, New York and New Jersey, which have given big labor a stranglehold over their workers, their economies and their politics.

The Lone Star State's Right to Work law must be defended to the hilt. Hard-working employees and the Texas economy cannot afford anything else.

Mark Mix is the president of the National Right to Work Legal Defense Foundation, a nonprofit charitable organization that provides free legal aid to employee victims of compulsory unionism. His e-mail address is info@nrtw.org.