



Foundation Action

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Legal Defense Foundation, Inc.

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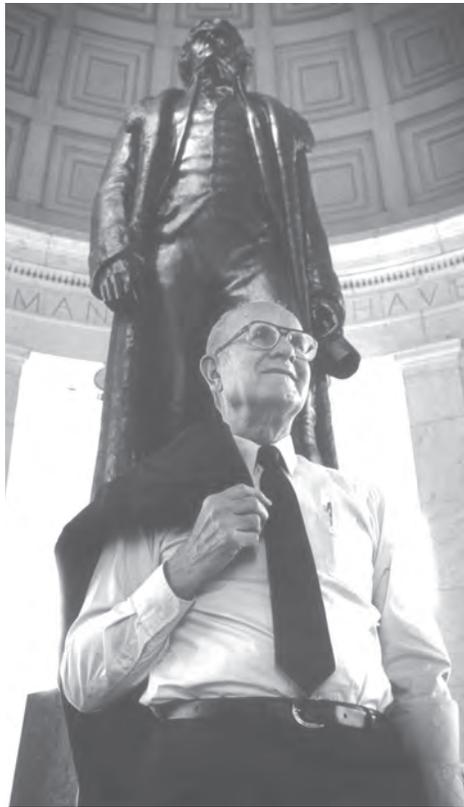
Reed Larson (1922-2016): Leader of Right to Work Movement Remembered

Reed Larson's leadership in defense of freedom has spared millions from injustices of forced unionism

SPRINGFIELD, VA – On September 17, 2016, the Right to Work movement lost a leader when Reed Larson passed away peacefully of natural causes at the age of 93. For nearly half a century he was the face of the Right to Work movement, hailed by *The New York Times* as someone who, “can make Presidents change their minds and frustrate the best laid plans of organized labor.”

Reed Eugene Larson was born on September 27, 1922, in Agra, Kansas. He graduated from Agra High School in 1940 and joined the Army as a Second Lieutenant in 1943 serving in the Second World War.

After the war, Larson returned to Kansas and received his Electrical Engineering degree from Kansas State University in 1947. Following graduation he began to pursue a career in engineering at the Coleman Company in Wichita.



Reed Larson founded the Right to Work Foundation in 1968.

“organize” taxi companies in the city by forcing them into compulsory union shop contracts. When the companies and nonunion drivers refused, union thugs terrorized independent-minded workers like Deering Crowe who defied the strike order. On December 12, 1953, Crowe picked up two passengers who had him drive to a remote part of town. The “passengers” turned out to be union militants who mercilessly beat Crowe

with chains.

Just two days earlier, Crowe had been examined by a doctor who had determined that a malignant growth on his jaw was cancerous and had to be surgically removed. As a result of his injuries from the union thugs the surgery had to be postponed, allowing the cancer to spread and eventually lead to Crowe's death a little less than a year later.

A few days before Crowe died, Larson had the chance to visit him in his hospital room. Crowe had previously testified in favor of the Kansas Right to Work bill despite being in very poor health because of the union beating. Seeing Crowe's resolve in the face of the very worst aspects of compulsory unionism reinforced Larson's devotion to the Right to Work cause.

“This was a turning point for Reed,” Mark Mix, current President of the

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Victim of Union Thug Attack Sparked a Life Devoted to Worker Freedom

Meanwhile, forced union dues, rampant union strike-line violence, and other excesses committed by union officials sparked a public backlash across the nation against compulsory unionism.

Larson saw one of the most horrendous acts of union violence up close in Wichita. In 1953 the local Teamsters union bosses began a campaign to

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Union Threatened Minnesota Nurse for Refusing to Abandon Patients

Union officials illegally blocked nurse from resigning so they could fine her for working during strike

MINNEAPOLIS, MN - In early June, Minnesota nurse Crystal Rehbein resigned her membership in the Minnesota Nurses Association (MNA) union via certified letter. The MNA currently holds a monopoly bargaining contract with Allina Health at the hospital where Rehbein works as a nurse in Minneapolis.

Three days after Rehbein resigned from the union, the MNA announced a strike at several Allina Health hospitals, including the one where Ms. Rehbein is employed, demanding that thousands of nurses abandon their patients and walk out on the job for a week long period. Ms. Rehbein refused to abandon her patients and chose instead to exercise her right as a nurse to refrain from MNA membership to continue to work.

However, shortly after the strike ended, MNA officials sent a letter to Rehbein claiming her resignation was "rejected." The union bosses claimed that Ms. Rehbein was not allowed to exercise her right to resign from formal union membership without first filling out a

new membership application and updating her dues payment information.

Further, in early August, MNA officials informed Rehbein that internal union discipline charges had been brought against her for continuing to work during the strike, and they threatened her with fines, reprimand, or censure. These "charges" directly violated long-standing legal precedent, which holds that workers who resign their union membership and return to work during a strike may not be fined by the union for conduct following their resignation.

Foundation Fought Illegal MNA Union Boss Reprisals in 2010

This is not the first time that MNA officials have illegally attempted to initiate "union discipline charges" against nurses for refusing union boss demands that they leave their patients and go on strike. In mid-2010, Foundation staff attorneys assisted three other Minnesota nurses in



Minnesota Nurses Association union nurses on strike outside an Allina Health run hospital in Minneapolis

filing unfair labor practice charges with the NLRB after the MNA threatened them with disciplinary charges for refusing to participate in a strike that occurred after they had resigned from the union.

Foundation attorneys filed federal unfair labor practice charges for Ms. Rehbein in August, 2016. To her, the issues that the union ordered the strike over were minor. She told Minnesota Public Radio, "I never felt that the contract issues were bad, or bad enough to strike over." Ms. Rehbein also went back to work for her family: "I am the only one in my family with a job, I just can't afford to go on strike, especially in an open-ended strike situation."

"Attempting to drag this brave nurse into a kangaroo court is nothing more than a tired intimidation tactic," said Ray LaJeunesse, National Right to Work Foundation Vice President and Legal Director. "All workers – including medical professionals – have the right to resign their formal union membership and continue working to support their families. It is shameful for union bosses to attempt to discipline a nurse for exercising her rights so she can continue to care for patients." 

Foundation Action

Rev. Fred Fowler	Chairman, Board of Trustees
Patrick Semmens	Vice President and Editor-in-Chief
Ray LaJeunesse, Jr.	Vice President and Legal Director
Mark Mix	President

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NEW YORK POST

National Right to Work Foundation Featured Commentary

Honor Workers — Not Unions

By Mark Mix, President of the
National Right to Work Foundation

There's much to celebrate this Labor Day. Workers from across the country have made substantial gains for workplace freedom — despite union bosses' best efforts.

And that progress is a reminder that on Labor Day, we should be recognizing workers, not unions. The two aren't synonymous, no matter how hard Big Labor tries to equate them.

In July, West Virginia became America's 26th Right to Work state, meaning tens of thousands of Mountain State workers will be free from Big Labor's stranglehold.

You see, in the 24 states without Right to Work laws, union officials can order workers fired simply for refusing to pay union dues or fees. What's more, millions more nonmember workers nationwide have no choice but to accept unions' bargaining power over their wages and working conditions, even if they want nothing to do with the union and could get a better deal on their own.

This despite the fact that poll after poll shows the American people overwhelmingly oppose forced union dues and affiliation, a view shared by rank-and-file union members. In a nationwide scientific poll of 760 union members commissioned by the National Right to Work Foundation, 80 percent supported the principle that union membership and dues payment should not be required as a condition of employment.

And yet, union officials are increasingly reliant on their forced-union-dues-funded political activism to protect and expand their government-granted legal privileges of compulsion and extortion.

In mid-February, Supreme Court Justice Antonin Scalia passed away, leaving the court deadlocked 4-4 in *Friedrichs v. California Teachers Association*, which challenged the constitutionality of forced dues for public-sector employees as a violation of the First Amendment. While union officials cheered the tie which left forced dues in place for now, it is a testament to the progress made on this issue that prior to Scalia's death, a majority of the court seemed ready to rule in favor of Right to Work protections.

Despite the setback, the issue is far from over at the Supreme Court. National Right to Work Foundation staff attorneys are

currently pressing other cases on behalf of public employees including state troopers, university professors and others that have the potential to also end up before the Supreme Court.

As courts and state legislators re-evaluate Big Labor's forced-dues powers, union officials refuse to address why so many workers are choosing not to affiliate with a labor union and instead continue to push to expand their power to compel workers to pay them or be fired.

Instead of devoting themselves to providing the type of representation that workers would voluntarily pay for, Big Labor's multi-billion-dollar political machine in Washington, DC, and state capitals pushes for more government-granted power to force themselves on unwilling workers.

Big Labor's position seems to be: Why should union officials bother with the hard work of representing employees if they're sitting on a forced-dues revenue stream guaranteed by the government?

But as we're seeing in West Virginia, Wisconsin and other states, workers are waking up to the fact that this flood of forced-dues cash also breeds extravagance, abuse and corruption. In more than 250 active cases nationwide in the past year, National Right to Work Legal Defense Foundation attorneys have helped thousands of Americans stand up for their rights against union official corruption, intimidation and even violence.

Samuel Gompers, founder of the American Federation of Labor (predecessor to the AFL-CIO) wrote: "The workers of America adhere to voluntary institutions in preference to compulsory systems which are held to be not only impractical but a menace to their rights, welfare and their liberty."

Perhaps this Labor Day, union officials should take a step back, heed Gompers' advice and focus on why millions of American workers want nothing to do with a union instead of single-mindedly promoting their own power to compel workers to associate with a union against their will.

***This piece was published in the New York Post
on Labor Day, September 5th, 2016.***

Reed Larson (1922-2016): A Life in Service of Workplace Freedom

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With Federal Law so heavily weighted in favor of union bosses, standing up to them was a “David & Goliath struggle” that Reed Larson embraced.

National Right to Work Foundation and Committee, commented. “Ever since that winter day where he saw up close what compulsory unionism had done to Mr. Crowe, Reed knew he had to do something.”

Because of heinous attacks like this, opposition to compulsory unionism ran strong in Kansas. Larson became an active leader in the effort to build support for the state Right to Work legislation. The Coleman Company granted Mr. Larson six months leave so he could devote himself full time to mobilizing support for a Kansas Right to Work law by leading Kansans for Right to Work.

The First Steps in a Life-Long Battle for Freedom

Under pressure from Larson and Kansans for Right to Work, the Kansas Legislature passed a Right to Work law in 1955. Governor Fred Hall vetoed the bill in what turned out to be a career-ending decision. In 1958 six states, including Kansas, put Right to Work laws on the ballot. Only in Kansas, under Larson’s leadership, did the measure pass.

Early the following year in 1959, on

the basis of his accomplishments in Kansas, Larson was offered the leadership job of executive vice president with the National Right to Work Committee, and he accepted.

The first major national battle for Larson came in 1965-1966 when the Committee scored a “must-win” victory over Organized Labor’s campaign to eviscerate all state Right to Work laws through repeal of Taft-Hartley Section 14(b). The bill was set to pass until Larson personally persuaded Illinois Senator Everett Dirksen to filibuster the bill and prevent its passage.

“It could have been all over right then if that bill had passed,” Mix commented. “If Reed had not been successful in persuading Senator Dirksen to mount a filibuster, there likely would be no Right to Work laws today.”

Over the next several decades, with Larson as its President, the Committee achieved further defensive victories in Congress for Right to Work with the defeat of “common situs picketing” legislation designed to corral independent construction employees into unions and legislation to bar employers from offering permanent jobs to workers hired during strikes. In addition, three new Right to Work laws were enacted.

The National Right to Work Committee was active in Congress and state legislatures, pressing for elimination of compulsory unionism, but it was not structured to give legal aid to individuals. Larson knew there needed to be a place for victims of compulsory unionism, like Deering Crowe in Kansas, to turn to.

This led to Larson establishing the National Right to Work Legal Defense Foundation in 1968 with a two-fold goal of enforcing workers’ existing rights and setting new legal precedents expanding those rights and protections.

Since then the Foundation has been at the forefront of defending workers’ rights, from filing unfair labor practice charges for individual workers to setting Supreme Court precedents.

Foundation Wins Victory Before US Supreme Court

In *Ellis v. Brotherhood of Railway, Airline and Steamship Clerks* (1984), the court held that the Railway Labor Act prohibits coerced financial support of union politics and ideological activities, such as canvassing and phone banking for candidates. Furthermore, union bosses could no longer use a favored scheme of collecting full dues for politics and only later refund the portion a non-member need not pay.

The Foundation helped expand the new protections found in *Ellis* in the case *Chicago Teachers Union v. Hudson* (1986), in which the court unanimously held that First Amendment due process requires that certain procedural safeguards be established before compulsory union fees can be collected from public employees. Employees now had the right

to be provided with information supporting the union’s financial breakdown of forced dues; that those figures be verified by independent audit; and have an opportunity for a prompt, impartial review of the union’s forced-dues calcu-

“Being a small town Kansas kid, I never had any aspirations to go to Washington, D.C., but after witnessing the menace of forced unionism in my own state and the death of Deering Crowe I knew I had to do something to stop the scourge of forced unionism. That’s why I agreed to uproot my entire family and life to come lead the fight.”

Reed Larson

*~From the book **Free Choice for Workers** by **George Leaf** ~*

lations.

In 1988 the Foundation expanded worker protections even further with the legal precedent set in *Communications Workers v. Beck*. In *Beck*, the court held that private sector employees have the same right not to subsidize union non-bargaining activities as railway, airline, and public employees. Thus, they too are entitled to the procedural protections outlined in *Chicago Teachers Union v. Hudson*.

Besides the Foundation's significant track record of success before the Supreme Court, the Foundation has won or settled favorably more than 3,000 cases, represented more than 21,000 individual clients and assisted hundreds of thousands of workers via certified class-action lawsuits.

A Lasting Impact

When Larson stepped down from the presidency of the National Right to Work Committee and Foundation in 2003, he left for his successor, Mark Mix, an organization that had undergone an immense transformation from a fledgling one in 1959 with only 20,000 members to one with over 2.2 million. Even after 2003 Larson remained involved with the Foundation as a Chairman of the Executive Committee of the Board of Trustees until 2014.

Mark Mix attests to this: "Government-authorized forced unionism continues to do enormous damage, both to individual workers and to the country. But under Reed Larson's leadership, the Committee and the Foundation began to roll back the damage," said Mr. Mix.

"Just since the beginning of 2012, an additional four states have adopted Right to Work laws. By staying the course and continuing to fight forced unionism head on, just as Reed taught us to do, Right to Work forces will ultimately achieve a total victory. I'm confident of that." 

Reed Larson's Legacy Remembered

"A remarkable man whose life spanned nearly 94 well-lived years."

The Washington Post Obituary
October 2016

"All Americans who value Liberty owe a debt to Reed Larson. In his almost half a century of leadership of the National Right to Work Committee, Reed demonstrated that one can make a difference by sticking to principle."

Ron Paul ~ Former Congressman and
Presidential Candidate

"Reed Larson...kept organized labor on defense for decades. He focused his organizations laser-like on fighting against compulsory unionism, but he quietly, generously helped others become successful conservative leaders. As Ronald Reagan once said about Ed Meese, if Reed Larson was not a good man, there are no good men."

Morton Blackwell ~ President,
Leadership Institute and GOP National
Committeeman for Virginia

"His mission, eventually as head of the National Right to Work Committee and driven by a belief in individual freedom, led to some of the most contentious legal, political, and workplace battles in recent decades, from the steps of state capitols to the halls of Congress and the U.S. Supreme Court."

Wall Street Journal Obituary
September 2016

"Reed Larson could...make Presidents change their minds and frustrate the best laid plans of Organized Labor."

"Reed Larson versus the Union Shop"
New York Times - 1977

"I am saddened by his passing, but I am grateful for having worked for Reed Larson and benefiting from the example he set for all who worked for him. I (and many others) also owe him a debt for showing us that adhering to principle increases your effectiveness."

Norm Singleton ~ President,
Campaign for Liberty

"Perhaps the most apt eulogy of Reed Larson is the epitaph of the British architect Sir Christopher Wren in London's St. Paul's Cathedral: 'If you seek his monument, look around you.'"

John Gizzi ~ *Newsmax* Writer and
Former Political Editor of *Human Events*

Twelve Workers Hit Unions with Federal Charges for Illegal Retaliation

CWA and IBEW union officials attempted to punish Verizon employees who worked during strike

NEW YORK, NY - In April of this year union bosses with the International Brotherhood of Electrical Workers (IBEW) and Communications Workers of America (CWA) unions ordered a mass strike against Verizon involving thousands of workers up and down the East Coast from Massachusetts to Virginia. This strike continued for a month and a half before union officials ended the stoppage, but not before many workers exercised their right to return to work despite the union bosses' strike demands.

Foundation Offered Aid

Anticipating inquiries from workers regarding their rights during the strike, the National Right to Work Foundation issued a special legal notice on the Foundation website (www.nrtw.org). It emphasized that free legal aid would be available to employees who face illegal resistance from union officials for exercising their right to work despite the strike. Predictably, numerous Verizon workers soon found they needed legal assistance from National Right to Work Foundation staff attorneys.

Soon after CWA and IBEW union officials ordered the strike, four workers, Joseph Todaro, Gregory Sable, Jackson Thoby, and Christopher Cooke, chose to resign from their respective locals in New Jersey and New York and return to work. Federal labor law is that workers cannot be compelled to participate in union-boss-ordered strikes. However, under a 1972 NLRB ruling, to protect themselves from internal union discipline, they must resign their formal union membership before returning to work, as these workers did.

Unfortunately for these four workers, the matter did not end there. Months after they returned to work, and long after the strike was resolved, the union bosses at their respective locals retaliated. Under federal labor law and NLRB rulings,



Self-described "Socialist" Vermont Senator Bernie Sanders speaking at a union boss rally outside a Verizon store in New York City

unions are not allowed to levy fines to punish workers who are not voluntary union members. Furthermore, unions are not allowed to punish workers for exercising their right to renounce union membership and work during a strike.

Union Bosses Retaliate Against Workers

Despite their resignations, these four workers were notified by CWA and IBEW officials that they had to appear before union kangaroo courts on charges for working during the strike in violation of the union constitutions, despite their non-member status. Foundation staff attorneys therefore filed NLRB unfair labor practice charges for the four workers.

A fifth Verizon employee, James VanValkenburgh, resigned his union membership, sought to stop payment of dues beyond the portion the union could legally require and asked that CWA Local 1111 provide him with a mandated notice of his rights as a nonmember. When Local 1111 union officials ignored his request, he filed NLRB charges with

the help of Foundation staff attorneys.

After Local 1111 officials ignored VanValkenburgh's resignation for three months, union bosses finally did issue a partial refund. However, they continue to ignore his dues checkoff revocation and failed to issue a full refund for dues. Consequently, an amended NLRB charge was filed in September alleging the continued violations.

"Here are classic examples of the injustice that is levied against hardworking Americans on a daily basis. These workers chose to work for their own benefit, rather than the goals and purposes of the union hierarchies, and are threatened with vigilante revenge in union boss-controlled kangaroo courts for it," said Patrick Semmens, Vice President of the National Right to Work Legal Defense Foundation. "The unions have chosen to ignore the clear rulings of the NLRB and federal courts and seek vengeance against the very workers they claim to represent."

In a series of similar charges, seven workers at a Monsey, NY Verizon facility were charged by the CWA with "vio-

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Illinois Homecare Workers Fight to Reclaim \$32 Million in Forced Dues

Supreme Court decision: SEIU scheme violated First Amendment, but SEIU won't return ill-gotten funds



Pam Harris, lead plaintiff in the US Supreme Court case *Harris v. Quinn*, with her son, Josh, for whose care the SEIU wanted to charge her dues.

CHICAGO, IL – In June 2014, National Right to Work Legal Defense Foundation attorneys won a victory in the U.S. Supreme Court *Harris v. Quinn* case that freed thousands of home-based caregivers from having to pay tribute to union bosses just to do their job or even take care of a loved one.

The Supreme Court held that the collection of forced union dues from home-based caregivers violated their First Amendment rights. In the majority opinion, Justice Samuel Alito eloquently described the incompatibility of compulsory unionism and the First Amendment.

“If we accepted Illinois’ argument [that homecare providers can be forced to pay the union] we would approve an unprecedented violation of the bedrock principle that, except perhaps in the rarest of circumstances, no person in this country may be compelled to subsidize speech by a third party that he or she does not wish to support.”

Political Payback Hands Providers to SEIU Bosses

For *Harris v. Quinn* lead plaintiff Pam Harris, it all began one Sunday morning with a knock at her door. She opened it to find two strangers standing on her porch. They were from the SEIU and told her they had “really good news.”

The supposedly “good news” was that Illinois Governor Pat Quinn had expanded on an executive order signed by his disgraced, and now jailed, predecessor Governor Rod Blagojevich that classified homecare providers, like herself, as public employees and made them eligible to join a union.

Harris was rightfully confused. She was just a mom caring for her disabled adult son, not a public employee. Then she saw Governor Quinn on the local news in front of a big SEIU banner and flanked by purple jackets. She knew right then that this executive order was just another ploy by a union boss-backed politician to pay the SEIU back for using forced union dues to help get him elected.

Foundation Steps in to Help

Harris reached out to the Foundation for help, and Foundation attorneys informed her of her right not to join the union. She then led the fight to vote down unionization and succeeded, but the SEIU kept coming back. Pam learned that other homecare providers, like Theresa Riffey, had already been corralled into unionization and had to pay tribute to a union boss. She then contacted the Foundation again, which filed a lawsuit for her and other homecare workers. The suit eventually worked

its way up to the U.S. Supreme Court, which held that the SEIU forced-dues collection scheme was unconstitutional.

The case was then remanded to the district court to resolve the remaining issues, chiefly whether the SEIU would be required to return the over \$31 million in dues illegally seized from non-members as part of the unconstitutional scheme. The case was renamed *Riffey v. SEIU* because Pam Harris was not legally able to receive a refund, having successfully fought off union attempts to organize and never been required to pay dues. Theresa Riffey did pay and stood to recover the illegal dues taken from her.

Ruling Whitewashed Supreme Court Decision

In June, the district court judge refused to certify the lawsuit as a class action, which means that the SEIU will not have to repay the money taken, in violation of the First Amendment, from providers not named individually as plaintiffs.

Foundation staff attorneys then filed an appeal in the U.S. Court of Appeals for the Seventh Circuit, seeking to reverse the district court’s ruling in *Riffey v. SEIU* that blocked the return of nearly \$32 million in union dues illegally seized by the SEIU from over 80 thousand Illinois homecare providers.

“If SEIU bosses are not required to return the money they seized unconstitutionally, it will only encourage similar behavior from union officials eager to trample on the First Amendment to enrich themselves at the expense of tens of thousands of other homecare providers,” said Foundation President Mark Mix. “Union bosses are so desperate for forced dues to fill their coffers they feel no shame in extorting money from family members like Pamela Harris and Theresa Riffey who provide care to their loved ones.” 

Illegal Strike Fines

continued from page 6

lating the union constitution.” These accusations were filed internally by CWA Local 1107 after the workers chose to resign from the union and continued to work through the strike. In this case, the union proceeded with the charges and in a sham trial found the workers “guilty.” The union shadow court fined each individual a sum between nine and fourteen thousand dollars for the “crime” of defying union boss orders and resigning from the union to continue to work.

These workers all sought assistance from the Foundation. Over the last two months, staff attorneys assigned to handle their cases filed federal charges with the relevant NLRB districts in New York and New Jersey.

To date, most of the twelve charges are still working their way through NLRB proceedings. However, after Todaro’s charges were filed, IBEW Local 827 withdrew its demands for Todaro to appear before its union tribunal.

“No worker should be forced to pay fees for the privilege of holding a job. As long as union officials twist and defy the law to force workers to pay dues for unwanted representation, workplace freedom is in danger,” said Semmens. 



The **NEW**
NRTW.ORG

The Foundation has just released a brand new version of its award winning website.

Check it out today at:

www.NRTW.org



Message from Mark Mix

President
National Right to Work
Legal Defense Foundation

Dear Foundation Supporter,

It is with a sense of loss yet confident peace that I write to you. In September, the Right to Work movement lost its greatest advocate, Reed Larson.

Mr. Larson made a tremendous impact on the Right to Work cause, as you'll read in this issue of *Foundation Action*, but he also inspired me personally and professionally.

In 1990, I started working at Right to Work under Mr. Larson. Immediately it became apparent to me that Mr. Larson wasn't concerned with his own fame or prestige.

His sole focus was helping workers suffering from compulsory unionism abuses and expanding their rights and protections.

He knew that he was fighting for a cause bigger than himself. That set an example for me and everyone else who has ever had the privilege to work for him and this cause.

I had the pleasure of working under Mr. Larson for 13 years, and it was the ultimate honor when he asked me to lead the National Right to Work Foundation and Committee when he stepped down in 2003.

Each and every day I am humbled by the awesome responsibility and trust that Mr. Larson put in me.

I am saddened that he passed from this world, but I am joyful that he is now enjoying eternal life with his Savior and lived such a long and fruitful life.

Thank you for your commitment to the Right to Work cause, which has enabled us to carry on Mr. Larson's legacy and press for new Right to Work laws and win significant Supreme Court precedents in recent years.

I know that with support from friends like you we can achieve Mr. Larson's goal of ending compulsory unionism and all of its abuses in our country.

Sincerely,

Mark Mix