

# Forced-Unionism Abuses Exposed

The facts Big Labor bosses would rather you didn't hear about.

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*Compulsory unionism breeds corruption. In each issue of "Exposed," the National Right to Work Committee will highlight yet another example of union-boss abuse spawned and perpetuated by Big Labor's government-granted privilege to force workers to pay union dues, or be fired.*

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## **‘How Many Laborers Does It Take to Screw in a Lightbulb?’ ‘I Don’t Know’ ‘Thirty – You Got a Problem With That?’**

Since May 2002, self-described “strong arm” Mark Congi, former president of Laborers Union Local 91 in Niagara Falls, N.Y., and 13 other Local 91 officers, associates, and militants have been charged with an array of crimes ranging from extortion and conspiracy to racketeering.

But the union bosses' legal team, led by flamboyant New York defense attorney Paul Cambria, insists Mr. Congi and company are not guilty. And one reason they give is quite interesting.

In motions to dismiss charges filed against nine of the Local 91 defendants, Mr. Cambria and other union lawyers argued, according to a news account in the *Niagara Falls Reporter*, “that the defendants were seeking ‘legitimate labor ends’ when they allegedly beat, threatened, or destroyed the property of contractors and both nonunion workers and workers from other unions.”

To any person who is unacquainted with the U.S. Supreme Court’s notorious 5-4 decision in the 1973 *Enmons* case, this may seem like a desperate gambit by union lawyers.

However, *Enmons* really does provide union officials and union militants who incite, authorize, or commit violence to secure so-called “legitimate union objectives” blanket protection from prosecution under the federal Hobbs Anti-Extortion Act.

In the *Enmons* case, three International Brotherhood of Electrical Workers (IBEW) union militants were indicted for firing high-powered rifles at three utility transformers, draining the oil from a transformer, and blowing up a substation.

As union lawyers reminded the judge presiding over the Local 91 case, in *Enmons* the Supreme Court upheld the dismissal of charges against the IBEW gunmen. In the context of a strike, a 5-4 majority claimed, sabotage and other extortionate violence perpetrated to advance “legitimate union objectives” don’t violate the Hobbs Act.

Not denying that Local 91 bosses had orchestrated attacks on workers and businesses, union lawyers insisted that charges could not be pursued in a number of such cases because “the violence and threats were meant to enforce Local 91’s jurisdiction on certain types of work . . .,” according to the *Reporter*.

When doesn’t “enforcement of Local 91’s jurisdiction” constitute extortion, according to union lawyers?

One apparent example of “nonextortion” would be former Local 91 steward Paul Bellreng’s alleged threat to kill employees of a nonunion asbestos removal company “and their families.” One day he reputedly told an employee: “I’m going to take your head off tonight.” It also apparently wasn’t extortion that evening when union agents allegedly used two explosive devices to bomb the worker’s home.

Yet another likely example of “nonextortion” would be the alleged admonition by former Local 91 President Congi and his henchman, Joel Cicero, to businessman Joe Aragon that he “was going to have to hire some guys” on a construction project. At another time, Mr. Congi reportedly “protected Local 91’s jurisdiction” by warning Mr. Aragon: “We never forget and you’ll never get away from us.”

Later, one of Mr. Aragon’s employees, a young lady, was hit by a car in an incident he believes is connected to his refusal to go along with Mr. Congi’s demands.

In the past, Mr. Congi was so comfortable with Local 91’s reputation for thuggishness that he often referred to it in casual conversations with contractors and workers from other unions.

According to the *Reporter*, a favorite joke of Mr. Congi’s went like this: “How many Laborers does it take to screw in a lightbulb?” When the audience gave the standard “I don’t know” reply, Mr. Congi would begin to glower and say: “Thirty. You got a problem with that?”

One rank-and-file unionist who has seen the routine noted: “He’d slap you on the shoulder, like he was kidding. But you knew he wasn’t.”

On January 16, Judge Ancara rejected Local 91 lawyers’ “*Enmons*” defense and their other motions and set a trial date of November 4.

Unfortunately, his worthy attempt to distinguish the facts of the current case from *Enmons* could ultimately prove unsuccessful, in which case Mr. Congi and company will demonstrate once again that, under current law, union bosses and militants can get away with bombings, beatings, and threats designed to “organize” businesses and enforce strike demands.

That’s why the National Right to Work Committee is fighting hard to secure hearings and votes on legislation, sponsored by South Carolina Congressman Jim DeMint, that would close the *Enmons* loophole and ensure that, under federal anti-extortion law, bloody-minded union bosses and militants are subject to the same penalties as the rest of us.

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