

# Monopoly Bargaining Breeds Union Corruption

## *Big Labor Crooks Prey on Employees Who Are Corralled Into Unions*

In Congress and in state legislatures around the country today, National Right to Work Committee members combat two basic types of compulsory unionism: forced union dues (usually mislabeled as "agency fees" for union nonmembers) and monopoly bargaining.

Forced-dues collection is the more flagrant of these two, closely related forms of Big Labor oppression.

Under force of law, employees must hand over a portion of their pay to union officials — or be fired from their jobs.

However, monopoly bargaining is the foundation of forced union dues. Especially in public education and other government sectors, it is union bosses' most significant special privilege.

Under more than 30 state laws, government union officials are handed monopoly power to bargain over public employees' wages, benefits, and working conditions.

### **Union Lawyer: Monopoly Bargaining Puts Workers Under 'Powerful Compulsion' to Join**

Even teachers and other public employees who choose not to join a union must work under contract terms negotiated by union bosses, or quit their jobs.

Independent-minded professionals are stripped of any freedom to negotiate with public employers on their own behalf.

Years ago, then-top AFL-CIO lawyer Thomas Harris admitted that union officials often use monopoly-bargaining privileges like a cattle prod, to herd more workers under their control:

"The fact that the union will negotiate the contract which regulates the incidents of [a worker's] industrial life puts him under powerful compulsion to join the union," he wrote.

Mr. Harris had factory workers in mind, but his frank admission is even more apt for public employees, who typically feel pressure to join not just from union bosses, but from employers as well.

In contrast, "a private employee who chooses not to join a union is more often, though far from always, supported by his or her employer in exercising free choice," noted Mark Mix, president of the National Right to Work Committee.



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**Recently deposed South Florida union bosses Walter Browne (left) and Pat Tornillo illustrate how government-**

**granted monopoly-bargaining privileges draw "the worst kinds of men" to union office-holding.**

"Many of the negative offshoots of private-sector forced union dues — including hate-the-boss class warfare, shortchanging of more productive employees, and union corruption — much more frequently appear as a consequence of monopoly bargaining alone in the public sector.

"Monopoly bargaining-spawned corruption is now on display in South Florida, where ousted Federation of Public and Private Employees [FPPE] kingpin Walter Browne will soon become the third union president to go to a federal prison in three years.

"Florida's Right to Work law bars the firing of workers for refusal to pay dues or 'fees' to an unwanted union. But the state's public-sector monopoly bargaining law authorizes union officials to represent the only 'employee' perspective in contract negotiations.

"The vast majority of public employees are thus understandably reluctant to oppose or even question the union.

"Crooked Big Labor bosses like Walter Browne take advantage of that."

### **Walter Browne Convicted For 'Using His Union Like an Organized Crime Ring'**

As the *Miami Herald* reported June 2, "a federal jury convicted Walter Browne [and his sister, Patricia Devaney] of using his union like an organized crime ring."

Mr. Browne, who supposedly "represented" 7000 school custodians, city truck drivers, jail guards, and code-enforcement officers in Broward County, misused hundreds of thousands of dollars in union funds on items like fancy meals (including a \$678 lunch), poker games, and travel.

Ms. Devaney colluded in the embezzlement and was given a union car, which she admittedly seldom used for union business.

The Browne verdict followed longtime Miami/Dade teacher union honcho Pat Tornillo's 2003 guilty plea to plundering union dues. Mr. Tornillo was sentenced to 27 months in prison and ordered to pay more than \$1 million in restitution.

Also currently sitting in a federal prison is Tony Gentile, the Broward County teacher union chief who in 2001 pleaded guilty to trying to entice a teenage girl to have sex.

"As law professor (and one-time unpaid union organizer) Sylvester Petro once explained, government-granted special privileges like monopoly bargaining 'draw to unions the worst kinds of men, and they drive from unions the best kinds of men,'" said Mr. Mix.

"That's why the Committee is leading efforts nationwide to stop the spread of public-sector monopoly-bargaining laws and, ultimately, to eradicate this form of compulsory unionism in states that it has already infested." 📞