

Ted Kennedy Bests GOP at NLRB Deal-Making

Forced-Unionism Cheerleader Secures New Term on Powerful Board

GOP U.S. Sen. Mike Enzi (Wyo.), a self-avowed Right to Work supporter, is chairman of the Senate's Health, Education, Labor & Pensions (HELP) Committee.

And Big Labor Democratic Sen. Ted Kennedy (Mass.) is the HELP Committee's ranking minority member.

That, at least, is what reference books such as the *Almanac of American Politics* tell us.

But a "deal" that Mr. Enzi and the GOP White House made with Mr. Kennedy early last month indicates that it is the latter who is calling the shots on federal labor policy.

Wilma Liebman Voted to Force Union Nonmembers to Wear Union Logo Patches

Going along with Mr. Kennedy, Mr. Enzi and the Bush Administration agreed to hand Democrat Wilma Liebman, a longtime union lawyer who once served as counsel for the notorious Teamsters union, a third term on the powerful five-member National Labor Relations Board (NLRB).

Since she was first appointed to the NLRB nine years ago by Big Labor President Bill Clinton, Ms. Liebman has compiled a long track record of seeking to enhance union bosses' special legal privileges through "creative" reinterpretations of federal labor law.

For example, in the notorious *BellSouth* case, Ms. Liebman and two of her colleagues found that, even in a Right to Work state, workers who choose not to be union members can be forced to wear union logo patches on their uniforms in order to keep their jobs.

Fortunately, this shocking decision was appealed by independent-minded telecommunications employees, represented by National Right to Work Legal Defense Foundation attorneys, and ultimately overturned by a federal court.

But many similarly outrageous rulings remain in force today.

One example is *Autoworkers Local 1853*, in which Ms. Liebman and her cohorts authorized union bosses to threaten workers who resign from a union with the prospect of multi-thousand-dollar fines should they



HILLNEWS.COM



NLRB.GOV

Last month, President Bush helped Ted Kennedy favorite Wilma Liebman (right) secure a third five-year term on

the NLRB. Meanwhile, pro-Right to Work NLRB nominee Peter Kirsanow remains in confirmation limbo.

decide to rejoin years later.

And now, after being renominated by Mr. Bush on August 1, green-lighted by Mr. Enzi's committee on August 2, and okayed by the full Senate on August 3, Ms. Liebman will be in a position to continue twisting federal labor law on Big Labor's behalf at the NLRB until 2011.

Pro-Right to Work Nominee Left in the Lurch

In exchange for letting Mr. Kennedy have his way with regard to Ms. Liebman, did the White House and Mr. Enzi at least make sure that all of the President's pending Republican NLRB nominees got Senate approval at the same time?

The short answer is: No.

While GOP nominee Peter Schaumber, who generally appears inclined to protect the employee's Right to Work to the extent allowed under pro-forced unionism federal labor statutes, got a second term, his fellow Republican Peter Kirsanow did not.

In the brief time since Mr. Bush "recess" appointed him to the NLRB at the beginning of this year, Mr. Kirsanow has established himself as the board's strongest proponent of the employee's individual freedom. But unless the Senate confirms him for a full term, Mr. Kirsanow will have to leave the board next fall.

And since Ms. Liebman's reappointment was the most effective leverage the White House had against Big Labor obstruction of the Kirsanow nomination, it will be an uphill battle to get his nomination to go anywhere over the next year.

"For nearly six years, freedom-loving Americans have been patiently prodding you to exercise your appointment power to break union officials' lock-grip on the NLRB," noted National Right to Work Committee President Mark Mix in an open letter to Mr. Bush expressing his disappointment.

"Now, time is running out for your NLRB appointees to undo the damage the agency inflicted on employees, with decisions like *Autoworkers Local 1853*, during the Clinton years.

"Only if you quickly manifest a strong renewed commitment to defending American employees' Right to Work can the NLRB still be set on the right course."

Mr. Mix urged Committee members to call the White House comment line, 202-456-1111, to share their views about the bad deal the Bush Administration and GOP senators made with Ted Kennedy over NLRB appointments last month.

Members are also asked to call on the President to change course and begin fighting hard for the confirmation of pro-Right to Work NLRB nominee Peter Kirsanow. [T](#)