

Union Lawyers Outfox Themselves in NLRB Gambit

Petition Filed by Seven Unions Endorses Members-Only Bargaining

Under federal law, union officials have long had the option to negotiate "members-only" contracts with employers that do not affect the terms of employment of workers who do not wish to join or pay dues to a union.

But from the early 1960's until very recently, Big Labor rarely if ever tried to exercise its members-only option.

Instead, union organizers have focused their efforts on obtaining recognition from the employer as the monopoly-bargaining agent of all the employees in a so-called "bargaining unit." Monopoly bargaining is authorized and promoted by both the National Labor Relations Act (NLRA) and the Railway Labor Act (RLA).

Under monopoly bargaining, employees lose the individual right to bargain for themselves over their wages, benefits, and work rules, and must allow a union agent to negotiate in their stead, like it or not.

'Nonunion Employees Will Be Free to Bargain Individually'

And once union officials have rejected their members-only option and exploited NLRA or RLA provisions to seize monopoly power, they then use that power as an excuse for demanding that the employer acquiesce to a contract forcing union nonmembers to pay union "agency" fees just to get or keep a job.

Of course, Big Labor propaganda has

long obscured the fact that union bosses have a members-only option that they scorn because they prefer to wield monopoly power over workers.

Over the past couple of years, however, forced-unionism propaganda has run foursquare into reality.

More and more officials of AFL-CIO-affiliated and other unions now admit they are eager to engage in members-only bargaining in businesses where, despite their federal legal privileges, they are unable to impose monopoly bargaining.

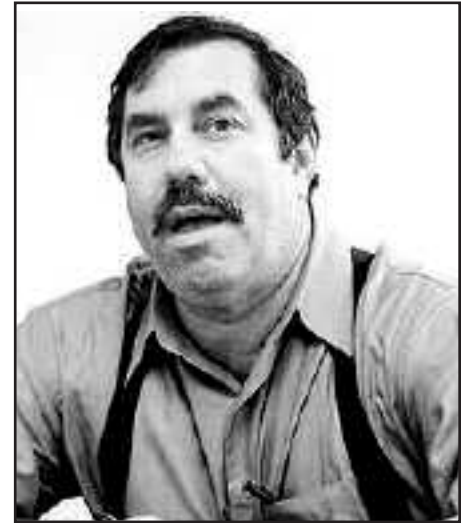
Leading the charge for members-only bargaining is United Steelworkers of America (USWA) President Leo Gerard.

And on August 14, Mr. Gerard's USWA and six other large AFL-CIO-affiliated unions filed a petition asking the National Labor Relations Board (NLRB) to rule that any business without a monopoly union must honor any union's request for bargaining on a members-only basis -- even if most employees don't want a union.

The petition actually singled out "nonunion employees" who don't want a union, along with pro-union workers, as "beneficiaries" of the proposed NLRB rule:

"[L]ess-than-majority unions will be allowed to bargain only for those employees who become dues-paying union members. . . . [N]onunion employees will be free to bargain individually, without union representation."

"For years, union officials have brazenly claimed that they should have



CREDIT: TEIPETIMES.COM

Union bosses led by Leo Gerard made an inadvertent argument for individual worker freedom last month.

forced dues because, supposedly, they are forced to represent nonmembers," commented Matthew Leen, vice president of the National Right to Work Committee.


Hoary Excuse For Forced Union Dues Has Gone 'Poof'

"Now the bosses of seven large unions have both admitted in writing that members-only bargaining is permissible under current law and declared that they want their members-only bargaining power expanded," he continued.

"Yet they don't want their current monopoly-bargaining power diminished one bit, even though they now tacitly admit that power is detrimental to the interests of workers who don't want a union.

"And USWA and other union bosses also want to retain the power to force workers, as a condition of employment, to pay dues or fees for unwanted monopoly bargaining. But what's their rationale for that now?"

"It's now clearer than ever before that members-only organizing is an option for union bosses. If they refuse to exercise this option, that's obviously no excuse for forcing workers to pay for an unwanted monopoly union.

"This new development will inspire Committee members to fight even harder for enactment of national Right to Work legislation barring all forced union dues and fees." 

NATIONAL RIGHT TO WORK NEWSLETTER

www.nrtwc.org

September 2007

Written and Distributed by:

National Right to Work Committee®

8001 Braddock Road

Springfield, Va. 22160

E-mail: Members@NRTW.org

Mark Mix President

Reed Larson Exec. Cmte. Chairman

Stephen Goodrick Vice President

Matthew Leen Vice President

Doug Stafford Vice President

Stanley Greer Newsletter Editor

Editorial comments only: stg@nrtw.org

Contact the Membership Department by phoning 1-800-325-RTWC (7892) or (703) 321-9820, or faxing (703) 321-7143, if you wish to:

- Report address changes or corrections
- Receive the NEWSLETTER or request, renew, or cancel Committee membership
- Obtain more information

Because of NRTWC's tax-exempt status under IRC Sec. 501 (C)(4) and its state and federal legislative activities, contributions are not tax deductible as charitable contributions (IRC § 170) or as business deductions (IRC § 162(e)(1)).

© 2006 by the National Right to Work Committee®. Permission to reprint individual articles granted. Credit requested.