

'Clinton Era' Keeps Dragging on at NLRB

Most Radical Forced-Unionism Precedents of 1990's Still Intact

Ever since self-avowedly pro-Right to Work President George W. Bush took office nearly seven years ago, National Right to Work Committee members have been urging him to exercise his appointment power to change the forced-unionism "friendly" atmosphere at the National Labor Relations Board (NLRB).

But at this point the Bush Administration's window of opportunity is closing fast -- and the Bush NLRB has yet to correct literally dozens of the Clinton NLRB's radical, precedent-smashing decisions that have intensified union officials' federally granted forced-unionism powers.

The five-member NLRB interprets and administers federal labor laws covering over 90% of businesses and private-sector employees.

This agency has for decades displayed a strong bias to expand Big Labor's power under federal law to force workers to pay union dues, or be fired. But during the Clinton era, the NLRB's extremism was unprecedented.

Bureaucrats Have Upheld Big Labor 'Right' to 'Misinform' Employees

For example, in a 1997 ruling connected to the then-pending *UFCW Local 1099* case, Clinton NLRB General Counsel Fred Feinstein upheld the validity of union "authorization" cards union officials obtained by falsely telling employees they were already under an "exclusive" union contract.

Although Mr. Feinstein grudgingly conceded that union bosses had "misinformed" employees and the NLRB's own investigators found that half the workers surveyed "believed they had to sign" the authorizations, he nevertheless ruled the coerced authorizations were valid!

Unfortunately, today the NLRB continues to abet union organizers who resort to deceit or threats to obtain "authorization" cards that they can use to secure monopoly-bargaining power over employees.

The Bush NLRB has inexplicably held off resolving cases that present the agency with opportunities to curtail union bosses' ability to get installed as monopoly-bargaining agents through subterfuge.

Two such cases, brought by employees represented by National Right to Work Legal Defense Foundation attorneys, involve the Upper Sandusky, Ohio, and St.



National Right to Work Committee President Mark Mix: "The White House's failure even to make a serious

John's, Mich., auto-parts facilities owned by the Dana Corporation. Both cases date back to 2003.

As Clarice Atherholt, an employee at the Ohio facility who has since retired, told reporters at a press conference, because of the NLRB's sanctioning of harassment and threats by union organizers, "a union we did not select is now bargaining on our behalf."

By deferring action on the two Dana cases and other, similar cases, year after year, the Bush NLRB is effectively turning a blind eye to Big Labor abuses of employees.

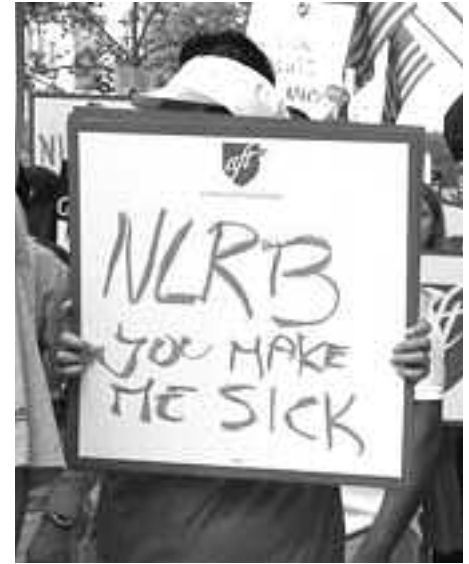
Three NLRB Seats Will Be Vacant by This December

"The Administration has clearly lacked the commitment to get dedicated public servants who will protect individual worker freedom, to the extent that's possible under our pro-forced unionism labor laws, appointed to full NLRB terms," noted National Right to Work Committee President Mark Mix.

"The White House's failure even to make a serious effort to fix the NLRB has been a bitter disappointment for Right to Work supporters.

"However, even at this late date, there is still time for the Bush Administration to the right thing.

"With NLRB Chairman Robert



effort to fix the NLRB has been a bitter disappointment for Right to Work supporters."


Battista's term ending in December, and the 'recess' appointments of members Peter Kirsanow and Dennis Walsh expiring as soon as Congress adjourns this fall, soon there will be one final chance for the President to stand up for the individual worker's freedom at the NLRB.

"Unfortunately, the Bush Administration has already nominated forced-unionism cheerleader Dennis Walsh for one of the vacancies, apparently in an attempt to appease the Big Labor Democrats running the U.S. Senate.

"But now it's vital that the White House and pro-Right to Work senators have a clear understanding in advance with the Senate majority leadership that Mr. Walsh will be smoothly confirmed only if Mr. Bush's nominees for the other two NLRB vacancies are guaranteed up-or-down votes on the Senate floor.

"The American people, who overwhelmingly support the Right to Work principle, will certainly stand by the White House if it makes a sustained effort to get two pro-Right to Work NLRB nominees confirmed to full terms before the Bush Administration leaves office."

Mr. Mix recently wrote the President to urge him to seize his last chance to end the NLRB's Clinton era.

Right to Work members nationwide who want to second the message may do so by using the White House comment line, 202-456-1111. 

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