

Senate Frosh Deceitfully Defends Forced Unionism

Anti-Right to Work Claims Ring Hollow For Montana Constituents

Last fall, Big Labor poured millions of dollars, mostly derived from union dues and fees that workers are forced to pay as a condition of employment, into a massive campaign to get union-label Montana politician Jon Tester (D) elected to the U.S. Senate.

The forced dues-funded campaign and a national political climate that strongly favored Democrats helped Mr. Tester eke out a narrow victory over pro-Right to Work GOP incumbent Conrad Burns.

But now Montana's freshman senator is learning about the unpleasant tasks that go along with the power and perks of holding office in Congress's upper chamber.

And one of the most unpleasant of all must be explaining to his freedom-loving Montana constituents why he opposes national Right to Work legislation that would simply repeal all federal labor law provisions that now authorize the firing of employees for refusal to pay dues or fees to an unwanted union.

Senator Beggars the Question: Do Nonmembers 'Benefit' From Monopolistic Unionism?

In a form letter he recently mailed out to National Right to Work Committee members and supporters acknowledging his opposition to S.1301, the national Right to Work measure now before the Senate, Mr. Tester offers an extraordinarily weak defense of the pro-forced union dues position he has adopted.

As Right to Work supporters know, the foundation of forced unionism is actually monopoly bargaining.

Unfortunately, federal labor law both authorizes and promotes private-sector monopoly bargaining in all 50 states.

Under monopoly bargaining, employees have taken away their individual right to bargain for themselves over their wages, benefits, and work rules, and are forced to accept a union agent negotiating in their stead, like it or not.

What impact does this so-called "representation" have on workers who don't want it?

As academic allies of Big Labor and union officials themselves have admitted repeatedly over the years, all too often the best workers are actually harmed by monopoly bargaining.

For example, Richard Rothstein, a veteran researcher for the AFL-CIO-

funded Economic Policy Institute and longtime New York *Times* columnist, has written in a review article that "union . . . negotiated contracts reduce wage dispersion . . . by reducing pay of the most productive workers."

And a legal brief recently filed by the United Steelworkers of America (USWA) and six other large, AFL-CIO-affiliated unions openly acknowledged that union nonmembers "benefit" when they aren't forced under a union monopoly, but rather left "free to bargain individually, without union representation"!

Incredibly, Mr. Tester's form letter fails to address the basic question of whether or not union nonmembers "benefit" from union monopoly bargaining.

Instead, contradicting even pro-forced unionism scholars like Mr. Rothstein and the lawyers for the unions that filed the recent National Labor Relations Board brief, the senator falsely asserts, without explanation, that workers who want nothing to do with a union nevertheless "benefit" from being unionized.

Of course, no pro-Right to Work Montanan who has contacted Mr. Tester regarding S.1301 is going to be satisfied by such a lame response.

Study After Study Shows Real Earnings Higher in Right to Work States

Mr. Tester also sidesteps multiple scholarly studies showing that the presence of a Right to Work law is correlated with higher real earnings and disposable incomes.

Even data furnished in the American Federation of Teachers (AFT/AFL-CIO) union's "Survey and Analysis of Teacher Salary Trends 2002," published in July 2003, showed that on average living costs (excluding all taxes) are roughly 15% higher in non-Right to Work states than in Right to Work states.

Study after study that factors in cost-of-living differences shows that, on average, employees' real earnings are higher in Right to Work states than in non-Right to Work states.

For example, a National Institute for Labor Relations Research study using the AFT cost-of-living index found that average, after-tax weekly earnings in nearby Right to Work Idaho and Wyoming were 11% higher than in



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Montana U.S. Sen. Jon Tester is struggling to justify his anti-Right to Work stance.

forced-dues Montana.

But in his form letter, Mr. Tester simply tries to wish away Right to Work states' overall real-earnings advantage by assuming that the average cost of living in Right to Work states is identical to the average cost of living in non-Right to Work states.

"Not even the most zealous apologist for compulsory unionism would ever explicitly defend such an assumption," noted National Right to Work President Mark Mix.

"Does Jon Tester really think he can get away with making it?"

Committee President Urges Pro-Right to Work Montanans To Keep Lobbying Mr. Tester

Mr. Mix urged Right to Work members and supporters across Montana to keep lobbying Mr. Tester to support S.1301:

"Jon Tester needs to understand that, should he decide to stick with his Big Labor paymasters, he will almost certainly pay a price with Montana voters.

"A December 2006 scientific survey of Montanans who regularly vote in statewide elections found that 75% support the Right to Work principle. It's time for Mr. Tester to stop insulting their intelligence." 📞