



**To: Senate Committee on Commerce, Labor, and Sports**

**From: Jeff Johnson, President, WSLC, AFL-CIO**

**Re: Opposition to SB 5692 – “Right-To- Work”**

On behalf of the Washington State Labor Council, AFL-CIO and our 450,000 union members I want to express our opposition to SB 5692. Let me take a moment to explain this and to put Right-To-Work (RTW) legislation into an historical, political, and economic context.

Historically the Right to Work Movement was founded in an alliance between southern segregationists wanting to protect the South’s racial order and northern industrialists wanting to protect their profits. Both feared the threat posed by New Deal policies and the spectacular growth of unions to unwinding Jim Crow laws and redistributing corporate profits.

Texas white supremacist Vance Muse, an oil industry lobbyist, was a central figure in organizing around state RTW efforts by equating union growth with race mixing. This argument was, unfortunately, quite successful in 14 southern states as the CIO unions, led by the United Autoworkers and Packing House Workers, pursued a southern organizing strategy, Operation Dixie, to organize new members and to defeat Jim Crow laws.

By 1947 the Taft-Hartley law was passed by a Republican Congress, which also overrode a presidential veto. Taft-Hartley clearly states that no worker is required to join a union but that all workers under a union contract, whether they are union members or not, are entitled to full union benefits and representation. This being so, a worker either has to pay union dues or

agency fees to cover the cost of their representation. It is important to note, as well, that under federal law no union member or agency fee payer can be forced to pay for union political activities either.

So under current federal law no worker is required to be a union member, to pay union dues (only Agency fees), or to make political contributions to a union.

However the Taft-Hartley law has a loophole, Section 14 b, which allows states to pass their own Right-To-Work laws allowing them to do away with Agency fees. This amounts to allowing workers to choose between paying a fee for representation services or simply receiving these services for free. This undercuts the voice of workers at the workplace by those who receive the benefits of a union contract but choose not to pay their fair share for them. This is analogous to receiving full public services but not paying anything for them, while others pay taxes to support these services.

Right-To- Work is a clever slogan purposely designed in the 1930's to misdirect and confuse people. RTW legislation never has and doesn't now have anything to do with creating or protecting jobs. The real intent of RTW legislation has always been to curb the power of workers and their union at the bargaining table as well as reducing their impact advocating for public policy in the best interests of working people.

Nonetheless, the myths about forced union membership and forced political contributions continue and are encouraged by those who support Right-To- Work legislation – Google Fox News reports on RTW efforts in Missouri and New Hampshire.

Supporters of RTW also argue that RTW legislation creates a better business climate which brings more jobs into a state. In fact this is generally not true. RTW states, as compared to free bargaining states, are characterized by lower wages and income, higher rates of unemployment , higher rates of poverty, and lower levels of public spending on public services. For example:

## **States with Right to Work Laws Have Lower Wages and Incomes**

- On average, workers in states with right to work laws make \$6,109 a year (12.1%) less annually than workers in other states (\$44,401, compared with \$50,511).<sup>1</sup>
- Median household income in states with these laws is \$8,174 (13.9%) less than in other states (\$50,712 vs. \$58,886).<sup>2</sup>
- 29.6 percent of jobs in right to work states were in low-wage occupations, compared with 22.8% of jobs in other states.<sup>3</sup>

## **States with Right to Work Laws Have Lower Rates of Health Insurance Coverage**

- People under the age of 65 in states with right to work laws are more likely to be uninsured (13.0%, compared with 9.4% in free-bargaining states).<sup>4</sup>
- Only 47% of private-sector employers in states with these laws offer insurance coverage to their employees, compared with 52.2% in other states.<sup>5</sup> That difference is even more pronounced among employers with fewer than 50 workers: only 30.1% offer health insurance compared with 38.1% of small employers in other states.<sup>6</sup>
- Workers in right to work states also pay a larger share of their health insurance premiums, on average, than those in free-bargaining states (28.5% of the premium compared with 25.4% in free-bargaining states).<sup>7</sup>

## **States with Right to Work Laws Have Higher Poverty and Infant Mortality Rates**

- Poverty rates are higher in states with right to work laws (15.3% overall and 21.4% for children), compared with poverty rates of 12.8% overall and 18.0% for children in states without these laws.<sup>8</sup>
- The infant mortality rate is 12.4% higher in states with right to work laws.<sup>9</sup>

## **States with Right to Work Laws Invest Less in Education**

- States with right to work laws spend 32.5% less per pupil on elementary and secondary education than other states.<sup>10</sup>

## States with Right to Work Laws Have Higher Workplace Fatality Rates

- The rate of workplace deaths is 49% higher in states with right to work laws, according to data from the Bureau of Labor Statistics.<sup>11</sup>

The Dr. Martin Luther King Jr. understood this in the 1960s when he said:

“In our glorious fight for civil rights, we must guard against being fooled by false slogans such as Right-To-Work. Its purpose is to destroy labor unions and the freedom of collective bargaining by which unions have improved wages and working conditions of everyone. Right-To-Work is a law to rob us of our civil rights and job rights. Wherever these laws have been passed wages are lower, job opportunities are fewer and there are no civil rights.”

In his inaugural address President Trump said he would look at policy by whether it was in the best interest of the American worker. Right-To-Work legislation has never been in the best interest of the American worker. It was designed to curb union power at the bargaining table and to curb union influence over legislative policy that supports working families. Workers voices are the only counterweight society has to unchecked corporate power.

Vote no SB 5692.

1 Bureau of Labor Statistics, Quarterly Census of Employment and Wages (all industries, all establishments, average annual pay), 2014 data. Numbers are rounded (\$50,510.58 and \$44,401.17).

2 U.S. Census Bureau, [Table H-8. Median Household Income by State: 1984 to 2014.](#)

3 CFED, [Asset and Opportunity Scorecard, Low Wage Jobs, 2013.](#)

4 Henry J. Kaiser Family Foundation, [Health Insurance Coverage of Nonelderly 0–64.](#)

5 Henry J. Kaiser Family Foundation, [Percent of Private Sector Establishments that Offer Health Insurance to their Employees, 2013.](#)

6 Henry J. Kaiser Family Foundation, [Percent of Private Sector Establishments That Offer Health Insurance to their Employees, by firm size, 2013.](#)

7 CFED, [Employee Share of the Premium, 2014](#)

8 U.S. Census Bureau, [POV46: Poverty Status by State: 2014 Below 100% and 50% of Poverty — All Ages](#); [POV46: Poverty Status by State: 2014 Below 100% and 50% of Poverty — People Under 18 Years of Age, Weighted Person Count](#)

9 Henry J. Kaiser Family Foundation, [Infant Mortality Rates \(deaths per 1,000 live births\), 2013](#)

10 National Education Association, [Ranking & Estimates - Rankings of the States 2015 and Estimates of School Statistics 2016, Table H-11. Current Expenditures for Public K-12 Schools Per Student in Fall](#)

[Enrollment, 2014-15 \(\\$\)](#). *Note: Wisconsin was excluded from the free-bargaining states vs. right to work state analysis for education spending because the state enacted its right to work law in 2015. The impact of right to work policies would not have been fully experienced in the 2014–2015 school year. In addition, West Virginia is included as a free bargaining state in this analysis of 2014–2015 school year data because the state passed right to work legislation in 2016.*

11 Bureau of Labor Statistics, [National Census of Fatal Occupational Injuries in 2014](#)