

Testimony of Mark A. Mix
To the United States House of Representatives
Subcommittee on Health, Employment, Labor, and Pensions
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Chairman Good, Ranking Member DeSaulnier, and members of the Committee,

As a longtime Right to Work activist and President of the National Right to Work Committee, it is an honor to have the opportunity to testify on behalf of Congressman Wilson's National Right to Work Act, a bill that does one simple but important thing – protect workers from being forced to pay dues or fees to a labor union as a condition of employment.

A majority of the House Republican conference has already stood up for worker freedom and cosponsored this bill, and we're approaching some of the highest levels of Congressional support we've ever seen for this legislation.

That's for good reason.

Compulsory unionism is unconscionable. Union bosses, *by their own admission*, spent \$1.7 billion dollars on politics in the last election cycle, and they spent tens of billions more paying the union employees who do campaign groundwork and who promote Big Labor's political agenda by bargaining directly with the government. Workers should not be forced, as they are in the 23 non-Right to Work states, to fund these efforts.

Most Americans agree. More than 80 percent of them oppose forcing workers to pay union dues or fees as a condition of employment.

The National Right to Work Act provides a simple solution.

In the era of thousand-page bills that no one reads, the legislative text of the National Right to Work Act fits on a single page. Without

adding a single word to federal labor law, it simply repeals the provisions in New Deal-era law that give union officials the power to force employees to pay dues just to get or keep a job.

This injustice was created by Congress when it preempted state labor laws by passing the National Labor Relations Act in 1935, which, although claiming to protect workers' ability to freely associate with a union or to refrain from doing so, allowed workers to be forced to pay union dues under pain of being fired.

The NLRA was a disaster for many reasons, and Congress soon passed the Taft-Hartley amendments to the NLRA in an attempt to contain some of the damage. It was then that Congress should have ended forced union dues altogether, but instead it took a half-measure, allowing individual states to exempt their own workers from compulsory dues by passing state-level Right to Work laws.

The National Right to Work Act finishes the job Taft-Hartley started, and protects every worker in America from the mistakes made by the Congress that passed the NLRA.

In that same era, Congress passed the Railway Labor Act, which dealt separately with workers in the transportation industry. That means that today, even in Right to Work states, railroad and airline workers are still forced to pay union dues as a condition of employment.

That's just one of the reasons why even those of you who represent Right to Work states need to support federal legislation to address forced union dues. Your constituents aren't fully protected, and they won't be until the National Right to Work Act is passed and we remove the forced dues provisions from both the NLRA and the RLA.

Right to Work is fundamentally about protecting employees' freedom of association. But I know many of you also recognize the economic benefits it brings.

Many of your states are already enjoying those benefits. Job growth in Right to Work states consistently outpaces forced unionism states. And wages, when you perform the necessary cost of living adjustments, are higher in Right to Work states.

Union officials constantly try to foist studies on you that ignore the massive cost of living difference between a state like New York and a state like South Carolina. That's the only way they can hide the train wreck they've made of forced-dues states' economies.

Even as union bosses cite misleading economic data to deny the obvious benefits of Right to Work, even as they try to hide the absurd inefficiencies of union-run Davis-Bacon projects and demand that union bosses be allowed to centrally plan entire sectors of the economy, they are complaining about jobs flowing to Right to Work states and threatening their forced-dues revenue streams.

They know that Right to Work states have stronger economies, and they're mad about it.

And in a way, I'm mad about it too. When I see the trends in jobs and wages, I'm thrilled to see state Right to Work laws doing exactly what they're supposed to do. But I can't help but imagine what would happen if workers in every state were safe in the knowledge that a union could never force them to pay dues or fees just to get or keep their jobs.

Imagine the American economy we could build if every state had the kind of growth that Right to Work states have experienced. Such an economy would be more powerful than anything Communist China could replicate, and more dynamic than anything seen in Europe, whose markets are bogged down by a perverse "sectoral bargaining" system of industry-wide union monopolies.

A National Right to Work law would bring real economic benefits to workers in both Right to Work and non-Right to Work states, and it's

the only way to fully protect workers in every industry from compulsory union dues.

I am pleased to be able to testify alongside two fine American employees who did not want unionization but had it forced on them anyway.

Contrary to Big Labor's narrative, union-negotiated contracts often work *against* the interests of many unionized employees.

Perhaps the employee in question is a high achiever, and the union in their workplace is opposed to merit-based pay and wants a one-size-fits-all contract that would lower the high achiever's salary.

Perhaps the union in question is the UAW, which has had multiple executives sent to prison in the last few years as part of a massive bribery and embezzlement scandal.

Perhaps union officials have done nothing but foment workplace confrontations and promote progressive political causes, leaving employees with little recourse except to try to navigate the blocks, barriers, and legal actions required to decertify the union.

These are real situations faced by real people that union bosses simply ignore. They are the reason why Right to Work advocates fight as hard as they do.

Union bosses and their political allies would have us believe that these types of workers simply do not exist.

They need us to believe that their so-called "representation" is a universal benefit in order to justify their demand for ever-increasing monopoly bargaining and forced-dues powers.

Two workers who've been affected by compulsory unionism are here today to tell their stories, but I can tell you about countless more.

Charlene Carter is a Southwest Airlines flight attendant who was fired from her job after she criticized the union bosses who controlled her workplace. When she saw Transport Union officials participating in a political rally, using her dues money to promote messages that violated her deeply held beliefs, she expressed her outrage in private messages to her union's president.

Then, because of the messages Charlene sent to the union, she was fired by her employer, and was without work until a Texas jury ruled that her firing was unjust.

Charlene got her job back, but unfortunately, she's also back to paying forced dues to the Transport Workers Union bosses that had her fired, because flight attendants are covered by the Railway Labor Act and don't have Right to Work protections, even in Texas.

Union officials aren't in the business of persuading workers. They don't need consent to take workers' money once they've been installed, so their only goal is to stay in power. If they need to resort to legal trickery to do that, so be it.

Last year Kerry Hunsberger and her coworkers at Latrobe Specialty Metals in Pennsylvania voted down a United Steelworkers union contract and circulated a petition to remove the union from their workplace. Upon hearing of the petition, a USW official secretly ratified the rejected contract anyway, hoping to trigger the NLRB's "contract bar" and keep the union in power against the workers' wishes.

Kerry was lucky because the USW made mistakes in its hasty contract that allowed her decertification vote to proceed, but workers all over the country are constantly fighting uphill battles at the NLRB just to remove a union they don't want. When those unwanted unions are in power in non-Right to Work states, workers are left paying out of their own pockets for union "representation" they want to be rid of.

Union officials frequently display a disregard, if not an outright contempt, for the workers they claim to represent. Some people in Washington recognize that this is a problem, but they think that it can be sorted out by tinkering with regulations or by finding different labels for union coercion like “worker cooperatives” or “employee involvement organizations.”

The Right to Work approach doesn’t rely on union officials to suddenly follow regulations they’ve often ignored or to somehow bargain for an entire industry without letting their own interests seep in. It relies on them to do the one thing they’ve always done well: watch out for their own bottom line.

When union officials need to earn and maintain workers’ support, they cannot pursue random political projects, bully and intimidate workers, or fall asleep at the wheel, unless they want to lose the money that pays their salaries.

That is why I encourage all of you to support The National Right to Work Act, which would make union dues voluntary for all Americans.