



Foundation Action

The bi-monthly newsletter
of the National Right to Work
Legal Defense Foundation, Inc.

Vol. XXXI, No. 3

8001 Braddock Road • Springfield, Virginia 22160

www.nrtw.org

June/July 2011

South Carolina Boeing Employees Defend Jobs and Right to Work from Obama Labor Board Attack

Foundation spearheads effort to stop dangerous assault on worker rights

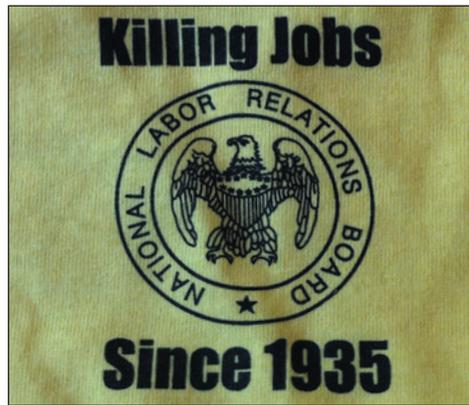
WASHINGTON, DC — With the help of National Right to Work Foundation attorneys, a group of South Carolina-based Boeing employees has moved to intervene in a high-stakes battle between President Barack Obama’s National Labor Relations Board (NLRB) and Boeing Corp. in a case that has generated widespread interest and will have a significant impact on workers across the country.

Obama NLRB attacks Right to Work states

In 2009, Boeing, after experiencing repeated International Association of Machinists (IAM) union boss-instigated strikes in the forced-unionism state of Washington, decided to locate a second plant to build 787 Dreamliners in South Carolina, partly because South Carolina is a Right to Work state.

IAM union bosses then asked the NLRB to take the unprecedented step of halting Boeing’s production in South Carolina and instead force the company to produce the planes in Washington.

The NLRB General Counsel, one of President Barack Obama’s many pro-forced unionism appointees, sided with the IAM union bosses and issued a complaint against Boeing — endangering over 1,000 existing jobs in South Carolina plus thousands more that are expected when the plant goes to full capacity.



The media reports that upset Charleston Boeing employees will wear t-shirts protesting the NLRB’s move.

“The NLRB’s complaint is nothing more than just another assault by the Obama Administration on Right to Work laws and all workers in Right to Work states where employees cannot be forced to pay union dues as a condition of getting or keeping a job,” said Mark Mix, President of National Right to Work. “Big Labor is now trying to use the power of the federal government to circumvent Right to Work laws because Right to Work protections for workers threaten union bosses’ monopoly stranglehold over workers’ hard-earned money.”

Demonstrating further the extent of the union power grab, workers in Boeing’s South Carolina plant recently booted IAM union bosses from their plant to attract more production work from Boeing.

The workers did not want union bosses interfering with their job prospects.

“I have nothing against unions, but I do not think they should be compulsory,” said Dennis Murray, a Quality Assurance Inspector for Boeing for the past three years and lead petitioner behind the effort to remove the IAM union hierarchy from the facility. “I do not think employers should be told by the federal government where they can establish their operations.”

see **BOEING EMPLOYEES** page 7

IN THIS ISSUE

- 2** Foundation Helps Worker Sue Obama Administration over Rollback of Union Boss Disclosure Requirements
- 3** FOIA Request Aims to Uncover Biased NLRB Ad Scheme
- 4** Right to Work Helps Nurses Fight to Protect their Paychecks
- 5** Bank Employee Wins Settlement from AFSCME Union Bosses
- 6** Charitable Giving: You Can Make a Difference for Freedom in the Workplace

Foundation Helps Worker Sue Obama Administration over Rollback of Union Boss Disclosure Requirements

Foundation attorneys challenge another Big Labor payback at Labor Department

WASHINGTON, DC — With the help of Right to Work attorneys, a Maryland employee is asking a federal court to stop Secretary of Labor Hilda Solis from unilaterally undermining union transparency regulations.

Chris Mosquera, a member of the United Food and Commercial Workers (UFCW) union, filed the lawsuit against Solis in U.S. District Court on May 23 for reversing a Bush-era disclosure rule that would have made it easier for workers to hold union officials accountable.

“Sunshine is the best disinfectant,” said Mosquera, when asked about his reasons for pursuing the lawsuit. “It will bring Big Labor’s finances into full public view, allow the membership to know where their money is coming from and going to, and may help to curb corruption.”

Rule change undermines workplace accountability

In states without Right to Work laws, employees are routinely forced to pay union dues just to get or keep a job. Until Solis abruptly rescinded the proposed union disclosure guidelines, workers



Right to Work Foundation President Mark Mix and Chris Mosquera, a union member who is suing the Department of Labor over the rollback of union disclosure guidelines, were interviewed on Fox News’ “Your World with Neil Cavuto.”

could look forward to accessing some information about the union spending they’re forced to subsidize. Among other things, the Bush-era regulations would have required union bosses to identify how much they were paid in individual benefits, account for travel and entertainment expenses, and identify union income streams.

Without access to this information, nonunion employees and union members are vulnerable to serious financial mismanagement on the part of unscrupulous union bosses, who often misuse workers’ forced dues for lavish personal expenditures or political activism.

In 2008, for example, a series of *Los Angeles Times* articles revealed that Tyrone Freeman, president of the SEIU’s 160,000 member California affiliate, fleeced union members for over one million dollars. And in 2009, during the worst recession in recent memory, the AFL-CIO scheduled a lavish conference at the Miami Fontainebleau Hotel, where the cheapest room goes for \$1,000 a night.

Significantly, a poll commissioned by the National Right to Work Foundation last year revealed that nearly 90% of union members supported strong disclosure requirements for union officials.

Lavish union spending prompts legal challenge

After learning about his own union’s prolific spending habits, Mosquera hoped to use the proposed rules to find out more about how his money is being spent.

“I have learned from studying the Department of Labor LM-2 forms . . . that my small local does enjoy a rather opulent lifestyle,” said Mosquera.

“For example, Local 1994 purchased an office condo in Gaithersburg, Maryland for about \$2 million; bought office furniture for their new offices for about \$250,000; the local president, Gino Renne, earns over \$200,000 per year, plus ‘benefits’ and other union officials are earning nice incomes; the local owns a fleet of cars and SUVs and bought about \$40,000 of gas; and enjoys an extensive ‘travel and entertainment’ budget.”

Now that Solis has single-handedly vetoed the new transparency requirement, however, employees like Mosquera will

see **OBAMA** page 8

Foundation Action

Rev. Fred Fowler
Reed Larson
Mark Mix
Raymond LaJeunesse, Jr.
Patrick Semmens

Chairman, Board of Trustees
Executive Committee Chairman
President
Vice President and Legal Director
Editor in Chief

Distributed by the
National Right to Work Legal Defense and Education Foundation, Inc.
8001 Braddock Road, Springfield, Virginia 22160
www.nrtw.org • 1-800-336-3600

The Foundation is a nonprofit, charitable organization providing free legal aid to employees whose human or civil rights have been violated by abuses of compulsory unionism. All contributions to the Foundation are tax deductible under Section 501(c)(3) of the Internal Revenue Code.

FOIA Request Aims to Uncover Biased NLRB Ad Scheme

NLRB selectively advertised worker rights on Google to union bosses' benefit

WASHINGTON, DC — In late March, The National Right to Work Legal Defense Foundation filed a Freedom of Information Act (FOIA) request to discover the extent of an under-the-radar Google ad campaign conducted by the National Labor Relations Board (NLRB) that selectively publicized workers' rights.

According to an earlier NLRB statement, the Board received a free Google Ads trial in 2008 and has since discontinued the program. However, media reports indicate that NLRB Google Ads appeared as recently as February of this year, which suggests that the agency continued to pay for the program after their free trial expired.

Shockingly, these ads only contained information about workers' ability to organize or join unions. No record of ads about workers' rights to refrain from union activities or remove a union from their workplace has been found.

In other words, the NLRB's advertising campaign may have used taxpayer dollars to help push more workers into unions' forced-dues-paying ranks.

Suspicious ad campaign highlights NLRB bias

Unfortunately, the NLRB's Google Ads program is just the latest instance of that agency's well-documented forced-unionism bias.

Perhaps the most notable example of the NLRB's skewed approach to labor law is the appointment of former SEIU lawyer Craig Becker to the Board. Becker is now poised to rule on several upcoming cases involving his former Big Labor employer, including one that could roll back Foundation-won protections for workers subjected to coercive "card check" organizing drives.

Said one reporter at *The Washington Examiner*, "Given the current make up of the Board, it's not difficult to see why free

market groups and key congressional figures now question the NLRB's ability to administer labor law in a fair and detached manner."

Foundation fights for public disclosure

The NLRB's Google Ads campaign does nothing to dispel fears about deep-seated biases within the agency. Foundation attorneys are concerned that the NLRB's ad buys publicized information about workers' rights to organize or join a union without providing equally important information about the rights of employees to refrain from union membership or eject unwanted unions from their workplaces.

The Foundation's FOIA request seeks all documented business transactions between the Board and Google related to on-line advertisements. Foundation attorneys believe that this information is necessary to determine the extent of the NLRB's pro-

Big Labor bias and to inform the public of how the Board's budget is being spent.

That information is particularly critical in light of statements by NLRB Chairwoman Wilma Liebman. Liebman, a former Teamsters lawyer, claims that proposed budget cuts will hamstring the NLRB's ability to enforce the law despite the fact that the agency may have paid for a superfluous and one-sided Google Ads campaign. In February, she told House Republicans, "We don't administer programs so there are none to cut. We're an adjudicatory agency, so all we could really cut is salaries."

"The Obama Labor Board is making a mockery of its supposed role as a neutral arbiter of federal labor law," said Patrick Semmens, Legal Information Director for the National Right to Work Foundation. "These pro-forced unionism advertisements are yet another example of how the NLRB has turned into an arm of Organized Labor." ↗

The image is a screenshot of a Google search page. The search query is "UAE and trade unions". The search results show several links, including "Trade Unions - UAE - The Official Web Site - News" and "UAE considers trade unions - Construction - ArabianBusiness.com". A red circle highlights a sponsored advertisement on the right side of the page. The ad reads: "Labor Organizations Info Find Info on How to Start a Union. Get the Process & More on Our Site! www.nlr.gov". Another red circle highlights the search results for "UAE PRISON.COM Covers Trade U" and "Mafiwasta - Workers' rights in the UAE".

Right to Work attorneys believe that the NLRB used Google Ads to promote union organizing at taxpayer expense.

Right to Work Helps Nurses Fight to Protect their Paychecks

Washington, Illinois cases demonstrate dangers of forced unionism to medical professionals

SEATTLE, WA AND CHICAGO, IL — With the help of Foundation attorneys, nurses from Seattle and Chicago have filed federal unfair labor practice charges against the Washington State Nurses Association (WSNA) and National Nurses United (NNU) unions, respectively.

According to Therese Mollerus-Gale, a nurse at the Virginia Mason Medical Center in Seattle, WSNA union officials forced nonunion nurses to pay full union dues and enrolled new nurses in the union without their consent. Meanwhile, Jennifer Heyd, who works at the University of Chicago Medical Center, was told by NNU operatives that she had to join the union and pay full dues or face termination.

This latest round of charges emphasizes the dangers medical professionals face from aggressive union organizers, who will often stop at nothing to corral nurses into their forced-dues-paying ranks. In recent years, Foundation attorneys have been involved in several high-profile cases involving Big Labor's expansion in the medical industry. Hospital organizing drives have forced nurses in Minneapolis and Washington, D.C. to abandon their patients during union-instigated strikes,

while medical professionals in Houston and Kansas City have turned to Foundation attorneys for help after being threatened by aggressive union organizers.

Union operatives demand forced dues from unwilling nurses

In Seattle, Mollerus-Gale started work during a contract hiatus between the union and her employer in late 2010. Although employees cannot be compelled to formally join a union as a condition of employment, WSNA officials did not notify Mollerus-Gale of her contractual right to opt out and automatically enrolled her as a union member. In February 2011, she was notified that she would have to pay full union dues or lose her job.

Mollerus-Gale's charges follow similar allegations raised in early April by Maureen Lenahan, another Virginia Mason Medical Center nurse who was forced to join the union and pay full dues. Lenahan is also receiving legal assistance from Foundation attorneys.

"There was never any communication between WSNA and myself when I

first became a staff nurse," said Mollerus-Gale. "Nurses should have a free choice to join [the union] or not."

In Chicago, Heyd was told by NNU officials that she had to authorize union dues deductions and sign an NNU membership card. Although Heyd informed union officials that she did not want to join the union or pay full dues, NNU bosses told her that she would be fired if she did not become a member or authorize dues deductions.

Right to Work laws needed to protect vulnerable employees

Both nurses are challenging the unions' forced dues demands on the grounds that the Foundation-won Supreme Court decision *Communication Workers v. Beck* protects their right to opt out of subsidizing union activities unrelated to workplace bargaining, such as members-only events and political activism. Because both Washington and Illinois lack Right to Work laws, however, nurses can be forced to pay part of union dues just to keep their jobs.

Even if Foundation attorneys help Mollerus-Gale and Heyd keep their jobs and refrain from paying full union dues, the NNU and the WSNA unions will continue to force them to pay for unwanted union "representation." Only in Right to Work states are employees protected from paying any dues to keep a job.

"Washington and Illinois desperately need Right to Work laws," said Patrick Semmens, Legal Information Director for the National Right to Work Foundation. "Without these vital protections, hard-working nurses can be forced to fork over a portion of their paychecks just to keep their jobs and continue caring for their patients." ✚



Union officials in the healthcare industry routinely pressure nurses to abandon their patients in an attempt to increase union boss power.

Bank Employee Wins Settlement from AFSCME Union Bosses

Case highlights need for Right to Work protections for all Wisconsin workers

MILWAUKEE, WI — With the help of Foundation attorneys, a U.S. Bank employee has won a settlement with American Federation of State, County, and Municipal Employees (AFSCME) union officials after they forced him and his co-workers to pay full union dues.

Peter Quinones of Milwaukee originally filed unfair labor practice charges in March at the National Labor Relations Board (NLRB) against the AFSCME Local 777 union.

With the settlement, union officials agreed to reimburse all illegally-seized union dues to Quinones and his coworkers and to post a notice informing all employees of their rights to refrain from union membership and opt out of funding union political activities.

AFSCME bosses ignore nonunion worker's objections

After AFSCME Local 777 union bosses were granted monopoly bargaining privileges over Quinones and 300 of his U.S. Bank coworkers, Quinones sent a letter to AFSCME officials indicating his decision refrain from full dues-paying union membership.

Because Wisconsin lacks a Right to Work law, workers who refrain from formal union membership can still be forced to pay part of union dues. However, the Foundation-won Supreme Court precedent *Communication Workers v. Beck* holds that nonunion employees cannot be compelled to pay dues for non-bargaining activities, such as members-only events and union political activism.

Despite his letter, AFSCME Local 777 union officials continued to collect full union dues from Quinones' paycheck. After he filed an unfair labor practice charge, union officials still refused to



AFSCME bosses were collecting forced dues for political activities — like their recent protests across Wisconsin — from unwilling U.S. Bank employees in Milwaukee until Right to Work attorneys stepped in.

honor Quinone's earlier objection letter. Quinones then filed another charge to prevent AFSCME bosses from automatically deducting forced dues from his paycheck. The latest round of charges finally forced AFSCME Local 777 union officials to settle the case.

Case highlights lack of Wisconsin Right to Work law

“Despite this victory for U.S. Bank employees in Milwaukee, other workers across the Badger State are still being forced to pay for union political activism

just to keep their jobs,” said Raymond LaJeunesse, Legal Director for the National Right to Work Foundation. “Wisconsin's workers badly need a Right to Work law to help protect their rights against unscrupulous union boss spending.”

If passed, a Wisconsin Right to Work law would end the collection of compulsory union dues by making union membership and dues payment strictly voluntary. Polls consistently show that 8 in 10 Americans support the Right to Work principle, which holds that no worker should be compelled to join a union or pay union dues to get or keep a job. Twenty-two states already enjoy Right to Work protections for their citizens. ✚

Newsclips Requested

The Foundation asks supporters to keep their scissors sharp for clipping news items exposing the role union officials play in disruptive strikes, outrageous lobbying, and political campaigning. Please clip any stories that appear in your local paper and mail them to:

NRTWLDF

Attention: Newsclip Appeal
8001 Braddock Road
Springfield, VA 22160

Supporters can also email online stories to wfc@nrtw.org

Charitable Giving: You Can Make a Difference for Freedom in the Workplace

Now that tax season is behind us, have you thought about ways you can make a charitable gift to the National Right to Work Legal Defense and Education Foundation, Inc. in your estate plans while cutting your tax burden?

By taking advantage of one or more of the estate planning options, Foundation supporters can achieve their charitable goals as well as maximizing the tax efficiency of their charitable giving to the Foundation. If you are reviewing your will or estate options in the near future, you can best put an ideal plan together that will benefit you, your family, and the Right to Work movement.

Planned Giving Options; Maximum Tax Benefits

A gift to the National Right to Work Foundation Planned Giving program provides you, as a supporter, with many versatile options that can be specifically tailored to meet your financial needs and family goals.

There are numerous giving tools that can offer the following advantages: maximizing income tax deductions, minimizing capital gains taxes, avoiding burdensome estate taxes, and even providing a life-long income stream.

Tax-advantageous giving options include:

- gifts of cash (a tax deduction immediately upon date of gift);
- gifts of stock or securities (a tax deduction and no capital gains tax);
- wills and living trusts (a plan now for future income);
- gift annuities (a tax deduction in the current year and an income stream for your life);

These are just a few of the considerations you can review with your financial advisor or estate attorney today. Your investment with a planned gift will make a huge impact in advancing the Right to Work cause in the future.

If you would like more information or have questions regarding planned giving, please contact Ginny Smith at 1-800-336-3600, ext. 3303.



South Carolina Boeing Employees Defend Jobs

continued from page 1

Factory workers assemble to expel union from South Carolina plant

“If I lose my job, my family will be devastated,” added Murray. “The union is becoming a bad dream that won’t go away. While they are pursuing this course of action through the NLRB, they are trying to solicit signatures of recruits over in [another Charleston Boeing plant] building. I don’t believe the audacity of these people.”

“Recently, the union has again made contact with employees with home visits,” noted Cynthia Ramaker, another Foundation client and former president of the local union in the Charleston Boeing plant.

Ramaker added: “I am not surprised by the [charges] filed by the [Seattle IAM union bosses] against Boeing. They are violating my right to work with a choice. Isn’t that what being an American is all about?”

Upon hearing the news of the NLRB’s complaint against Boeing, Foundation President Mark Mix filed a Freedom of Information Act (FOIA) request with the NLRB to disclose any political motives behind the agency’s attack on the company.

Additionally, the National Right to Work Foundation initiated a media campaign which garnered attention in the *Charleston Post & Courier*, the Charleston-region CBS TV news affiliate, and various other local media outlets, notifying Boeing workers of their rights and offering free legal aid. Naturally, several independent-minded Boeing employees contacted the Foundation for help.

Foundation swoops in to stop Big Labor payback

One of those employees was Dennis Murray.

“I served in the U.S. Military to protect the rights of our citizens then and I

will fight to protect them now, against all enemies, foreign or domestic,” declared Murray.

Foundation attorneys filed a motion with the NLRB asking to intervene for the workers whose jobs are in jeopardy.

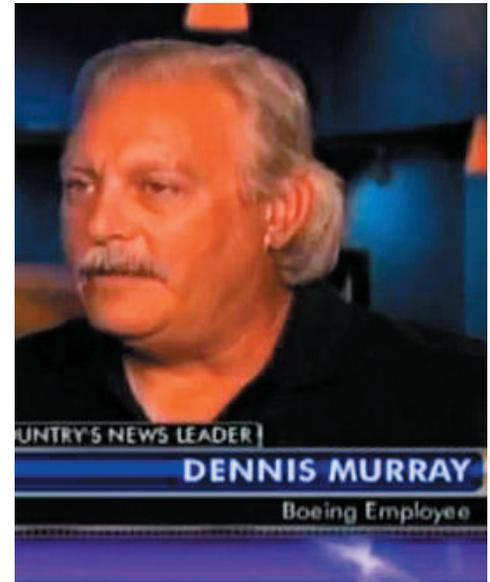
**“If I lose my job,
my family will be
devastated. The union is
becoming a bad dream
that won’t go away.”**

If IAM union bosses are successful in forcing Boeing to relocate its 787 Dreamliner production to a forced unionism state, the results could be devastating for workers in all Right to Work states.

Union boss win would set disastrous precedent

Despite having numerous government-granted privileges to force workers to pay union dues and accept union boss representation as a condition of employment, Big Labor bosses are finding it difficult to convince independent-minded workers to voluntarily accept their “representation.” Moreover, forced unionism states are finding it difficult to compete economically with Right to Work states, as workers in Right to Work states experience higher job growth, more disposable income, and greater freedom to enjoy the fruits of their labor.

As a result, union bosses are banking on their billion dollar spending sprees during the past few elections to use the



With the help of Right to Work attorneys, Boeing employee Dennis Murray is spearheading a legal challenge to the NLRB’s attempt to shut down his workplace.

government to force workers into forced-dues-paying ranks and even give union bosses complete control over companies and entire sectors of the economy. The Obama NLRB, dominated by union-label appointees, seems all too happy to pay back the union officials for their massive political support.

“Workers in South Carolina or any other Right to Work state should not be denied the opportunity to continue providing for their families to satisfy the outrageous forced unionism demands of union bosses,” stated Mix. “Unfortunately the Obama Administration and its appointees on the NLRB are poised to give union bosses first-class treatment while workers in Right to Work states aren’t even left with complimentary peanuts.”

“And while NLRB-instituted Big Labor paybacks are cleared for takeoff, Foundation attorneys will ensure that these corrupt schemes experience as much turbulence as possible,” declared Mix. ✈

Work Sues Obama

continued from page 2

have fewer tools at their disposal to dig into union finances and hold unscrupulous union officials accountable for their out-of-control spending habits.

Biased Labor Department ignores workers' rights

Adding insult to injury, Solis' decision to roll back these modest disclosure requirements appears to have exceeded her own authority as Secretary of Labor. Foundation attorneys contend that under the Labor Management Relations Disclosure Act — originally passed by the Kennedy Administration — the Department of Labor cannot reduce unions' public reporting standards. Nonetheless, Solis unilaterally amended existing transparency guidelines to allow union bosses to hide some of their most egregious expenditures.

Mosquera's lawsuit seeks to halt this reversal on behalf of the millions of workers forced by federal mandate to accept union boss "representation" and pay union dues just to keep their jobs.

The Right to Work Foundation is also litigating another lawsuit in District Court against the Department of Labor after DOL officials failed to respond to a Freedom of Information Act request seeking any communications between union officials and DOL representatives concerning these recent rule changes. Foundation attorneys suspect that Solis and her underlings worked hand-in-glove with union politicians to halt the implementation of more rigorous disclosure guidelines.

"Once again, the Obama Administration has put union boss priorities ahead of the rights and well-being of individual employees," said Mark Mix, President of National Right to Work. "Hilda Solis believes that not only should union bosses have the power to compel workers to pay union dues as a condition of employment, but that it's perfectly acceptable to keep those same workers in the dark about how their forced dues are being spent." †



Message from Mark Mix

President
National Right to Work
Legal Defense Foundation

Dear Foundation Supporter,

After over two years of high unemployment, I'm sure you've heard just about every politician claim, "It's all about jobs."

As always, you should probably take those claims with a grain of salt. But when the Obama Administration spouts those claims, you may need to empty the entire saltshaker.

The Obama Labor Board's outrageous attack on Boeing — detailed in this issue of **Foundation Action** — shows how much the union bosses and their political allies fear Right to Work and how little they really care about jobs.

Right to Work laws spur economic growth, job creation, and business investment. Boeing's decision to build a new line and create thousands of new jobs in Right to Work South Carolina is just the latest example.

The union chieftains and their allies in the Obama Administration would rather shut down a plant than allow Boeing employees to work where they can't be forced to pay dues or "fees" to Big Labor.

Because you and I both know it's not all about jobs at all. It's about propping up the union bosses' forced-dues coffers.

As one of the Boeing employees explains, "They are violating my right to work with a choice. Isn't that what being an American is all about?"

Right to Work laws simply grant hardworking Americans the basic freedom to decide for themselves whether they want to support a private organization.

No worker should ever be forced to join or pay dues to a union as a condition of employment, and no worker should lose his job at the whim of unelected bureaucrats in Washington, D.C.

That's why the Foundation's legal aid program is more relevant than ever. Thank you for your continued support.

Sincerely,

Mark Mix