



Foundation Action

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of the National Right to Work
Legal Defense Foundation, Inc.

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Foundation Tackles Union-Only Project Labor Agreements

*Iowa suit is part of
nationwide effort to stop
assault on Right to Work*

DES MOINES, Iowa — At a joint press conference with Iowa Senate Majority Leader Stew Iverson, the Foundation announced that it will engage its legal firepower to beat back an attempt by Organized Labor officials to undermine Iowa's Right to Work law.

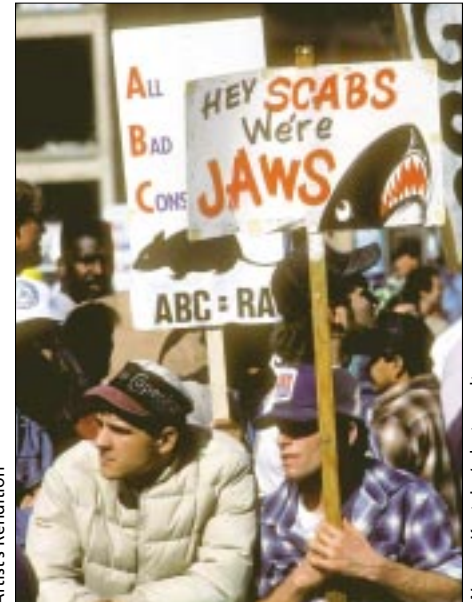
The union boss attack comes through a policy of formal discrimination against efficient non-unionized employees and businesses in the form of union-only project labor agreements (PLAs), which force nonunion contractors and employees to work under union rules.

In consideration of the threat to Iowa's economy and tradition of individual liberty, the Foundation is filing as *amicus curiae* (a "friend of the court") in support of a lawsuit filed by the Associated Builders and Contractors and the Master Builders of Iowa to halt the Polk County Board of Supervisors' attempt to impose a discriminatory and costly PLA on construction of the Iowa Events Center.

"The first of its kind in Iowa, this PLA will be the model for similar agreements in Right to Work states unless it is overturned. It is vital that this new compulsory unionism power grab is stopped in its tracks," said Foundation President Reed Larson.



Artist's Rendition



Werner Krutein / photovault.com

In what amounts to extortion, union officials offer empty promises that they will not order strikes or engage in violence in exchange for government-granted exclusive jurisdiction over public works projects like the Iowa Events Center (above left).

"Not only is this proposal discriminatory against the vast majority of Iowa's workers who have refrained from union membership, but such a scheme would also force taxpayers to pay the price through resulting delays and ballooning costs."

Union-only PLAs promote waste and hurt taxpayers

A PLA is a collective bargaining agreement that contractors must become a party to as a condition of performing work on a government-funded construction project. They invariably require contractors to grant union officials monopoly bargaining privileges over their workers, use exclu-

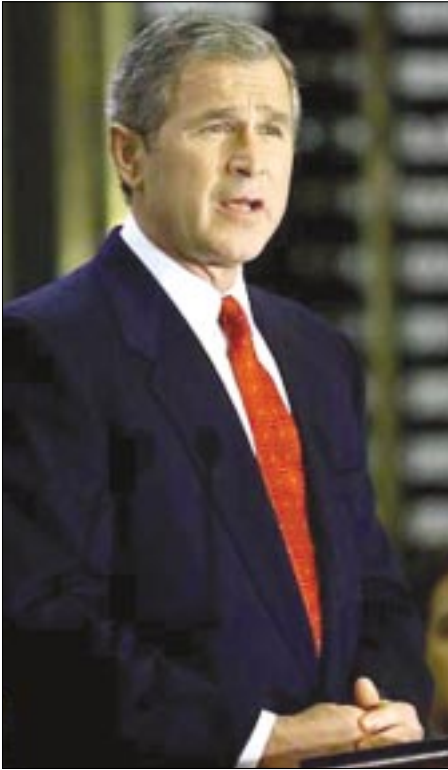
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Record Number of Citizens

Another Shakedown

Editorial by Investor's Business Daily, originally published on January 9, 2002



Slick union lawyers persuaded a federal judge to strike down President Bush's Beck Executive Order. The Foundation is urging Bush to fight back.

INVESTOR'S BUSINESS DAILY — An executive order based on a Supreme Court ruling has been struck down. So unions win another battle in their quiet war against workers.

Not long after he took office, President Bush ordered federal contractors to post notices informing workers that they can't be forced to pay union dues that are used for political purposes. Under the Supreme Court's 1988 *Beck* decision, workers can withhold the portions of their dues that aren't used for collective bargaining.

Union bosses have nightmares about informed workers. The bosses know that many workers, advised of their right to refuse to support a leftist political agenda, would rather hold on to their money. The bosses need them ignorant if they are to keep the cash flowing.

As usual, the bosses found an ally in federal court. U.S. District Judge Henry Kennedy ruled last week that the National Labor Relations Act prohibits the president from requiring such notices to be posted, citing other rulings from the federal bench.

Under these rulings, unions have gotten the benefit of the doubt each time. They don't have to prove that the employers' posting of the *Beck* notices would harm them, just allege that it might.

Kennedy also cited a 1997 ruling by the National Labor Relations Board — controlled by President Clinton appointees — that held that labor law prohibited a mandate on employers to post the *Beck* notices.

The National Right To Work Foundation, which won the *Beck* decision, holds a more rational view. Bush's executive order, the group believes,

simply seeks to enforce the Supreme Court's interpretation of a law enacted by Congress. We agree.

Bush's father, while president, issued a similar order that the courts never struck down. But the union bosses then didn't need a compliant court to restore their tidy arrangement. They just needed Clinton, who lifted the notices when he took office.

The lesson is that the union bosses will never back off their fight to retain government-protected access to their members' wallets. They need the money to maintain their political power.

And what of fairness for workers, the unions' ostensible reason to exist? That's secondary to the real goal of keeping the bosses in power.

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Foundation Action

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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.

Big Labor Demands Politicians “Go for Broke”

Foundation steps up efforts to counter AFL-CIO's election-year blitz



AP/Wide World Photos

AFL-CIO Secretary-Treasurer Richard Trumka (right), who has so far evaded federal prosecution for money laundering and corruption, is working closely with adulterous race-baiter Jesse Jackson.

LAS VEGAS, Nev. — As the National Right to Work Foundation works successfully to expose and punish rampant union abuse, the AFL-CIO hierarchy has been growing increasingly defensive and shrill.

After accusing President George W. Bush of “economic terrorism” at the AFL-CIO’s recent biennial convention in Las Vegas, John Sweeney and his union henchmen unveiled their largest political program ever for the 2002 elections, a campaign dubbed “Labor 2002.”

In 2000, officials of Organized Labor spent \$800 million, mostly taken from forced union dues, to support their hand-picked candidates for public office. This year, Big Labor’s high command plans to escalate these efforts by putting thousands of political operatives in the field and spending unprecedented resources on propaganda designed to mislead voters and sway close elections.

Candidates must become union skills

Meanwhile, the AFL-CIO decided that a politician must be a bona-fide

union skill, not just an apologist, to win union backing. A candidate must help to:

- Strong-arm employers to adopt the “card check” unionization scheme;
- Speak at union organizing rallies;
- Walk union picket lines;
- Deny government contracts to employers that the union bigwigs label as “labor law breakers”;
- Impose forced unionism (“monopoly bargaining”) and forced dues on all government workers.

These tactics are designed to force employers and employees accept forced unionism.

After narrowly failing to take over the Congress and White House in 2000, union bosses are turning their attention to a new battleground. In 2002, Sweeney and company are also looking to expand their influence at the state and local level.

Union militants believe they can make tremendous gains at the local level while the media and most political orga-

nizations are focusing on who will control the 108th Congress. Once they are in control of state and local governments, union operatives will be able to further chip away at Right to Work laws.

“It should not shock anyone that Big Labor is focusing on races for state and local offices in order to advance forced unionism,” said Stefan Gleason, Vice President of the Foundation. “As the recent victory in Oklahoma shows, support for Right to Work laws continues to grow.”

AFL-CIO’s “Target 5000” targets the public

In an attempt to guarantee it has total control over as many politicians and elected bodies as possible, Big Labor is working to make sure more union activists run for office. The goal is to elect twice as many as ever before through a program called “Target 5000.” These efforts will focus on supporting union radicals as candidates for county and local governments, especially school boards.

To finance these efforts, the AFL-CIO will help union operatives create political action committees at the local level to target state and local races.

By controlling school boards and local governments, union bosses want to extend their power down to every level of government, giving them greater control of taxpayers’ money. Also, having union activists in elected office would strengthen the power of public employee union officials to run government workplaces and drive up costs.

The Foundation fights back

Rather than wait for the union bosses’ political machine to steamroll the 2002 elections, the Foundation has been aggressively fighting to protect the rights

Federal Assault on Tribe's Right to Work Halted

Foundation attorneys help to uphold ban on forced union dues

SAN JUAN PUEBLO, N.M. — In a precedent-setting 9-1 ruling, the U.S. Court of Appeals for the Tenth Circuit has upheld the sovereign right of Native American tribes to pass Right to Work laws to protect workers on tribal reservations from unwanted union affiliation and payment of forced union dues.

Foundation attorneys provided free legal advice to the Pueblo of San Juan's attorneys and filed an *amicus curiae* brief in the case.

The case arose when the Tribal Council of the Pueblo passed a Right to Work ordinance that gave workers the right not to join and not to financially support a union as a job condition. Bill Clinton's National Labor Relations Board (NLRB) then sued the tribe to halt enforcement of the ordinance.

"The Tribal Council believes that it was unfair for a labor union to force employees to choose between paying mandatory union dues or being fired from their jobs," said Pueblo Governor Wilfred Garcia.

Governor Garcia believes the case will have important national implications for Indian sovereignty from federal government intrusion.

Pueblo's battle benefits other tribes

News of this precedent-setting ruling has already swept across the country, as the decision strengthens the rights of Native Americans on 300 reservations across America. Other tribes, including the Navajo Nation, the Crow Tribe, and the Osage Tribe, have already enacted Right to Work laws.

The economic growth that will occur on the San Juan and other Right to Work reservations will likely rally more citizens and legislators to pass Right to Work laws in jurisdictions currently without the provision.

"Not only is this a tremendous victory for Native American workers and reservations around the country, but also for the Right to Work movement," said Stefan Gleason, Foundation Vice President.

"In addition to preserving individual rights, Right to Work laws will help to bring new business and economic growth to these long-impooverished regions."

Although poverty and unemployment have traditionally plagued Indian reservations, in recent years tribal leaders have been more successful in fostering economic growth. Attracted to growing economies, union organizers have made increasing efforts in recent years to unionize companies on reservations and negotiate forced-dues contracts, thus skimming off the top of the new prosperity.

Taxpayers foot bill for government assault

The Clinton NLRB's General Counsel brought the full force of the federal government down on the Tribe when he filed for a preliminary injunction in early 1998 in the U.S. District Court for New Mexico to crush the Pueblo's Right to Work law.

After losing completely at the trial court, the federal agency lost again before a panel of the U.S. Court of Appeals. And now, after a ruling of the rare *en banc* panel, the NLRB has lost a third time. In upholding the Right to

Work law, the appellate court stated, "The legislative enactment of the Pueblo's Right to Work ordinance was also clearly an exercise of sovereign authority over economic transactions on the reservation."

President Bush hasn't cleaned up NLRB

This case highlights the crippling financial effects an NLRB witch hunt can have. Although the NLRB has no qualms about wasting taxpayer dollars to attack its political enemies with frivolous litigation, fighting continual appeals can devastate ordinary citizens.

"This shameless use of the NLRB as a union organizing tool is appalling," stated Gleason. "Right to Work supporters hope that President Bush has the stomach to clean up this rogue agency."

The San Juan Pueblo has had to pay over \$600,000 in legal fees to protect its sovereign rights, to say nothing of the cost to the Foundation for its role. The Pueblo enjoyed free assistance from other sources as well, including Professor Phillip P. Frickey of the University of California-Berkeley Law School, Professor Vicki Limas of the University of Tulsa Law School, Professor Richard A. Gonzales of the University of New Mexico School of Law, and Rob Luce, General Counsel to Rio Grande Forest Products, Inc. ✚



Free Newsletter

If you know others who would appreciate receiving **Foundation Action**, please provide us with their names and addresses. They'll begin receiving issues within weeks.

Oklahoma's New Right to Work Law Defended

Union bosses go to court to try to overturn will of voters

OKLAHOMA CITY, Okla. — Despite formal objections from the Oklahoma AFL-CIO, a federal judge allowed three Oklahoma workers receiving free legal aid from Foundation attorneys to intervene in support of Governor Frank Keating (R), who is defending Oklahoma's newly enacted Right to Work law from an attack by union lawyers.

Before the ink had dried on the constitutional amendment making Oklahoma the nation's 22nd Right to Work state, union bosses were already plotting to overturn the will of Oklahoma's voters, who approved State Question 695 on September 25, 2001. Lawyers for the AFL-CIO, six local unions, and a heavily unionized company filed a federal lawsuit last November in which they brazenly demand that the Sooner State's Right to Work law be struck down as unconstitutional.

Despite the personal risks that come with publicly opposing Big Labor, three employees have stepped forward to



AP/Wide World Photos

Foundation attorneys are joining Oklahoma Governor Frank Keating in defending the state's new Right to Work law.

become "defendant intervenors." The employees argue that, if Big Labor prevails in voiding the statewide ban on forced unionism, they will suffer direct financial harm as well as damage to their interests of free speech and association.

Because National Right to Work

attorneys have a proven track record in refuting the claims of union lawyers, Governor Keating enthusiastically accepted their assistance in bolstering the defense of the Right to Work law.

Despite personal risks, employees fight back

As Keating explained in a local news story about the case, "The Foundation has provided us with guidance and advice for many years...I certainly will accept any kind of free help during this difficult battle. These are friends I've known for a long time and I want their help and I welcome it."

Once intervention was granted, Foundation attorneys submitted arguments in court defending employees' financial and liberty interests at stake in the preservation of the Right to Work amendment. ✚

Spotlight on...

Glenn M. Taubman
Staff Attorney



Leading the charge in federal court to free employees from supporting union officials' recruitment of workers into their private ideological cause is Foundation Staff Attorney Glenn Taubman.

Last year, Taubman won the sweeping appellate court ruling that overturned a National Labor Relations Board mandate permitting union officials to get workers fired for refusing to fund union organizing drives. The ruling seriously threatens Big Labor's ability to corral workers into forced unionism; the AFL-CIO has vowed to make organizing a top priority in 2002, with some affiliated unions, such as UNITE, devoting as much as 50 percent of their budgets toward that end.

Taubman, who holds a J.D., with

Distinction, from Emory University School of Law and a Masters of Law from Georgetown University, also advises independent-minded employees on how to successfully hold and win deauthorization elections. Taubman launched the Foundation's deauthorization program several years ago and, as a result, hundreds of employees have since freed their workplaces from forced union dues.

Now entering his twentieth year with the Foundation, Taubman is a leading expert in fighting union harassment, discrimination, and violence. He is the co-author of "Union Discipline and Employee Rights," originally published in *Labor Law Journal*. An updated version is available on the Foundation's web site at www.nrtw.org.

Foundation Web Site Reaches Record Number of Citizens

Cutting-edge Internet presence advances Right to Work movement



SPRINGFIELD, Va. — The National Right to Work Foundation's critically acclaimed web site — www.nrtw.org — has emerged as the Internet's leading source for information on the Right to Work principle and employees' legal protections from compulsory unionism abuse.

"In 2001, the Foundation's web site informed an unprecedented number of employees about their rights," said Foundation Webmaster Blake Cameron. "Nrtw.org now receives an average of 1,000 individual visitors per day, making it one of the most popular pro-freedom sites on the Internet."

Web site provides valuable information

Because union officials routinely lie to employees about their rights, the Foundation's web site has proven to be a


vital resource for workers who labor under forced unionism. Foundation attorneys report that employees often use the web site to request free legal aid, learn how to stop the use of their union dues for politics, print out deauthorization petitions, and distribute information to their coworkers.

In addition to arming union-abused workers with knowledge about their rights, the Foundation's web site communicates the Right to Work principle and exposes Big Labor's outrageous power grabs to students, educators, journalists, and concerned citizens.

"Informed employees are Big Labor's worst nightmare," said Cameron. "Thanks to our web site, union bosses can no longer hide behind lies and misinformation."

Foundation supporters encouraged to stay connected

Foundation Action readers are encouraged to visit www.nrtw.org frequently, since it is updated on a regular basis. Foundation supporters can also have late-breaking news delivered right to their e-mail box. (To sign up for this free e-mail news service, simply enter your e-mail address in the form located on the web site's main page.)

The web site also enables individuals to support the Foundation financially. Using state-of-the-art transaction security, the Foundation welcomes online credit card contributions. 



Support your Foundation through Planned Giving

Planned Giving is a great way to support your National Right to Work Foundation. Some of the ways you can help the Foundation are:

- ✓ Remembering the Foundation in your Will
- ✓ Gifts of Stocks/Bonds
- ✓ Charitable Trusts
- ✓ Gifts of Appreciated Real Estate

For more information on the many ways you can ensure that your support of the Foundation continues, call the Foundation at (800)336-3600 or (703) 321-8510. Please ask to speak with Alicia Auerswald.

Taxpayer Extortion Scheme Imposes Forced Unionism

continued from cover

sive union hiring halls, and operate under wasteful union work rules. A PLA's undeniable function is to foist compulsory union representation onto the backs of employees who have otherwise chosen to work with a union-free company.

By supporting union-only PLAs, politicians guarantee that the costs of public construction projects will balloon, with extensive featherbedding usually a major contributing factor. The largest boondoggle in federal contracting history, Boston's "Big Dig," has run \$10 billion over budget and is the prime example of how PLAs can cause costs to skyrocket, leaving taxpayers to foot the bill. That's because qualified workers and companies who refuse to knuckle under to the excessive demands of union bosses are locked out of bidding on projects under a PLA.

"Work should be awarded on the basis of who can do the best job at a reasonable price, not on the basis of whether employees are sold out to forced unionism," said Larson.

Union-only PLAs amount to raw extortion

Reminiscent of mob tactics, union officials "suggest" that work stoppages will take place unless politicians agree to union-only PLAs. In return for the boon in taxpayer money, the union bosses promise "labor peace."

But in actuality, giving in to this shake down does not immunize localities from illegal strikes and public disruptions. For example, despite its "no-strike" clause, a recent PLA at the San

Francisco Airport resulted in conflict and work stoppages that delayed completion of the project and added millions of dollars to its final cost.

Attacking Iowa's Right to Work

The decision by the Polk County Supervisors is representative of a growing national trend of union puppet politicians undermining Right to Work laws. Iowa union bosses and their far-left political allies want to use PLAs as a spearhead to reintroduce compulsory unionism in a state that has seen economic growth and higher wages since its popular Right to Work law was enacted in 1947.

The construction of the Iowa Events Center is an important project in the revitalization of downtown Des Moines. When completed in 2004, the complex will feature a 17,000-seat arena, an auditorium that seats 7,000, and a convention center. It was expected to cost \$208 million, but since the PLA was imposed, the cost estimates have risen dramatically.

Unfortunately, union-only PLAs are not confined to Iowa. They are being used by Big Labor to restrict the rights of workers around the country. Most recently, New Jersey Governor Jim McGreevey (D) issued an Executive Order which will force PLAs on New Jersey public works.

"Work should be awarded on the basis of who can do the best job at a reasonable price, not on the basis of whether employees are sold out to forced unionism."

Union-only PLAs sweeping across America

In an attempt to stop the spread of PLAs, President Bush issued Executive Order 13202, banning their use on all federally funded construction projects. Although the President acted within his constitutional authority, Big Labor quickly struck back with a lawsuit seeking to overturn the order. Much like the Iowa case, Foundation attorneys filed as an *amicus curiae* in support of the President's position against the discriminatory policies.

In a preliminary ruling, the U.S. District Court for the District of Columbia sided with Big Labor and struck down the President's Executive Order. The White House is now appealing this case, and Foundation attorneys are filing arguments with the Court of Appeals as the case moves toward hearings in March.

With continued vigilance, the Foundation will stand up to Big Labor's aggressive use of union-only PLAs to discriminate against workers, intimidate their employers, and run roughshod over taxpayers. ⚡



Foundation Vice President Stefan Gleason drew Iowans' attention to the abuses of union-only cartels at a news conference.

Political Blitz

continued from page 3

of workers. During the AFL-CIO's convention, Foundation spokesmen were interviewed by *ABCNews.com* and *CNSNews.com* on the role of Big Labor in politics.

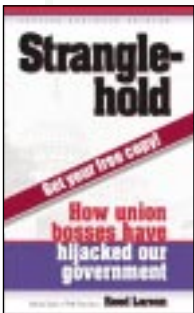
To counter the misinformation spread by union officials, the Foundation is launching a public service announcement campaign to notify workers of their rights regarding union membership and the use of dues for political purposes.

Big Labor's proposed political blitzkrieg shows how desperate and dangerous union officials have become.

Disenchanted with the polarizing leadership of AFL-CIO czar John Sweeney, a growing number of workers are breaking away from Big Labor's radical agenda. As more workers come forward to stand up for their Foundation-won rights, and prevent unions from raiding their paychecks, they are threatening Big Labor's political money machine. †

Get Your Free Copy of "Stranglehold"

Free copies of "Stranglehold: How Union Bosses Have Hijacked Our Government" are available to Foundation supporters. In



"Stranglehold," Reed Larson reveals the astonishing story of how Organized Labor has acquired incredible power over government in America. Every citizen should know the shocking facts revealed in "Stranglehold" so

that Americans may take back their government.

To receive a copy of Larson's explosive book, call Jean Griffith at 1-800-336-3600, or e-mail her at jmg@nrtw.org.



Message from Reed Larson

President
National Right to Work
Legal Defense Foundation

Dear Foundation Supporter:

Union bosses are becoming frantic.

In this issue of **Foundation Action**, we report on the brash, militant, and downright bizarre antics of union bosses at the recent AFL-CIO convention. Their goal is to mobilize union activists for an unprecedented political blitz to propel a Big Labor majority to power in both houses of Congress, while making gains in states and localities throughout the country.

Union officials at their lavish Las Vegas convention barely even paid lip service to the phony pretense that they represent the interests of rank-and-file workers. It's all politics.

And make no mistake: Big Labor does not tolerate dissent.

Just ask actor Barry Williams. You probably remember him as Greg Brady in the television sitcom "The Brady Bunch."

Last year, he worked on a touring production of "The Sound of Music" that wasn't approved by Actors Equity union officials. So they launched a nationwide smear campaign against him and fined him to pay its costs of over \$22,000, plus a penalty. The union has since revoked that portion of the fine but is still threatening him with a \$30,000 penalty. Now the union hierarchy is demanding that Barry issue a formal apology in order to have the fine reduced to a "mere" \$25,000.

Foundation attorneys are pressuring the NLRB to halt the union's harassment of Barry Williams. Meanwhile, the Foundation has generated tremendous media coverage of his case in hundreds of newspapers nationwide, giving union officials a much-deserved public relations black eye.

This is just one example of how your generous support is helping us put the union bosses on the defensive. Thanks again for all your help.

Sincerely,

Reed Larson