



# Foundation Action

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

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## Three New Foundation Cases Seek to End Public Sector Forced Union Dues

*Supreme Court could take case to overturn mandatory union dues for public servants by end of year*

SPRINGFIELD, VA – Nearly 40 years ago in the 1977 Supreme Court case *Abood v. Detroit Board of Education*, the Supreme Court upheld mandatory union fees for public employees. However, in recent years, thanks to cases brought by National Right to Work Foundation staff attorneys, the High Court has suggested that it is ready to revisit the issue.

In the Foundation-won cases *Knox v. SEIU* (2012) and *Harris v. Quinn* (2014), a Supreme Court majority expressed skepticism about the constitutionality of public sector union officials' forced-dues privileges. Writing for the Court in *Knox*, Justice Alito addressed the constitutionality of forced union dues.

Alito wrote, "This form of compelled speech and association imposes a 'significant impingement on First Amendment rights.' The justification for permitting a union to collect fees from nonmembers—to prevent them from free-riding on the union's efforts—is an anomaly."

### New Cases Nationwide Challenge Forced Dues

Now, the Foundation is assisting public sector workers across the nation in filing federal lawsuits seeking to end public sector forced dues. These cases follow the example of last year's *Friedrichs v. California Teachers Association* lawsuit, in which a majority of the Supreme Court appeared ready to overturn *Abood* and rule that forcing employees to make any payments to union officials as a condi-



**A group of Pennsylvania teachers have filed suit in Federal court seeking to end public sector forced union dues. From left to right the plaintiffs are Greg Hartnett, Robert Brough Jr., John Cress, and Elizabeth Galaska.**

tion of government employment violates the First Amendment.

Ultimately, *Friedrichs* ended up deadlocked 4-4 after the untimely death of Justice Antonin Scalia, but a number of cases brought by Foundation staff attorneys are poised to bring the issue back to the High Court where a ninth Justice nominated by President Trump could provide the tie-breaking vote. Currently, seven Foundation cases that are being litigated challenge the constitutionality of forced dues for public servants, including three filed since New Year's Day.

In Pennsylvania, Foundation staff attorneys are working with the Fairness Center to provide free legal representation for four schoolteachers who have

*See Trump Scotus Pick page 6*

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## Missouri Workers File Lawsuits to Protect New Right to Work Law

*Union Boss-filed ballot measures aimed at ending Right to Work approved in 11th hour political favor*

JEFFERSON CITY, MO – With free legal aid from National Right to Work Foundation staff attorneys, three Missouri workers filed legal challenges against ten separate initiative-petitions that would wipe out Missouri's recently passed Right to Work law and strip away the newly won Right to Work protections for them and hundreds of thousands of other Missouri workers.

If approved by the voters, the ballot measures would prevent the Missouri General Assembly from prohibiting forced-unionism agreements, essentially rendering the Missouri Right to Work Law null-and-void.

National Right to Work Foundation President Mark Mix commented, "As we have seen in states across the country, union bosses will do anything to preserve their forced-dues powers over workers. The fact that these initiative petitions do not even mention Right to Work but would effectively wipe out Right to Work protections in Missouri tell you all you need to know about the

union bosses' true intentions."

Two of the workers, Michael Briggs and Roger Stickler, are Kansas City police officers and are subject to a monopoly bargaining contract. Briggs and Stickler were nearly forced to pay fees to a union boss for the privilege of working, even though they are not members of the union 'representing' them, until they received free legal aid from the Foundation. The other plaintiff in the case, Mary Hill, is a nurse employed in the state.

### Deceptive Ballot Measures Approved in Political Kickback Scheme

All three plaintiffs would be directly affected by the passage of any of the union boss-backed ballot measures because they would lose their Right to Work without being compelled to subsidize a labor union.

With the political climate suggesting that a Right to Work bill would likely pass the Missouri Legislature soon, and Governor Eric Greitens pledging to sign



**Former Missouri Secretary of State Kander approved ballot measures as a political kickback to the union bosses that backed his campaigns.**

the bill into law, union bosses scrambled to put numerous initiative-petitions to kill the law on Big Labor-friendly Jason Kander's desk for his approval before he left office. Secretary of State Kander had unsuccessfully challenged Senator Roy Blunt in the 2016 Election.

Secretary Kander approved all ten just hours before vacating his office. They will appear on the 2018 General Election ballot if they obtain a sufficient number of voter's signatures.

Although required to draft summary statements to inform petition signers and voters, former Secretary of State Kander's midnight actions seem designed to hide from Missouri voters the effect of the proposed amendments the ballot measures would add to Missouri's constitution. None of the proposals even mention the Right to Work law that they are designed to nullify.

Mix added, "It is shameful that union bosses who claim to 'represent' workers are trying to kill a much needed and popular law through a midnight political favor by a big labor-backed candidate."

The new Right to Work law was signed on February 6, and will take effect in August. The Foundation has assembled a legal task force to defend the law. ⚖️

## Foundation Action

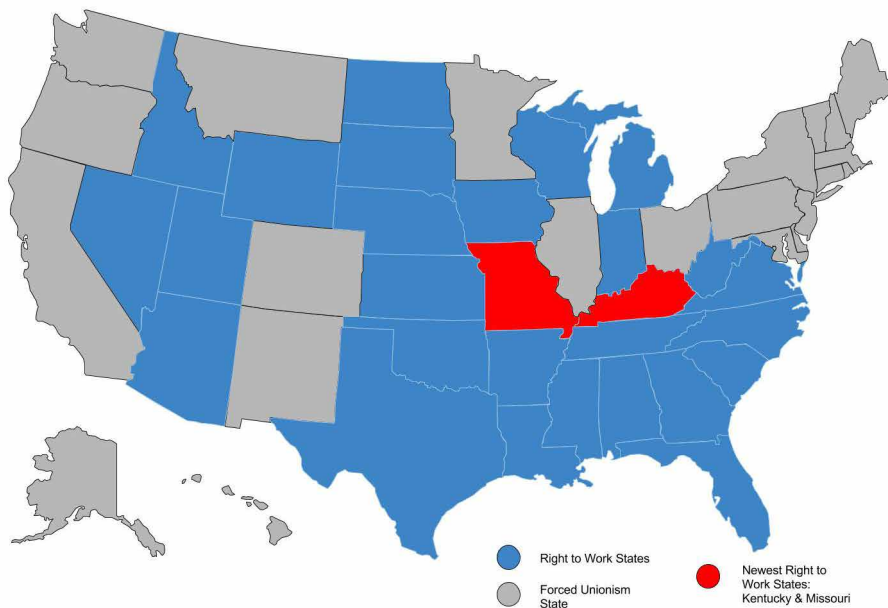
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The Foundation is a nonprofit, charitable organization providing free legal aid to employees whose human or civil rights have been violated by abuses of compulsory unionism. All contributions to the Foundation are tax deductible under Section 501(c)(3)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

## Foundation Launches Task Force to Defend Kentucky Right to Work Law

*Foundation attorneys prepare to defend and enforce the 27th Right to Work law from Big Labor attacks*



### **Kentucky and Missouri are the two latest states to pass Right to Work laws and protect their workers from union boss forced-dues powers.**

SPRINGFIELD, VA – The National Right to Work Foundation announced the creation of a special task force designed to defend and enforce Kentucky’s newly enacted Right to Work law immediately after Kentucky Governor Matt Bevin signed the bill into law on January 7, making Kentucky the 27<sup>th</sup> Right to Work state.

The Foundation is offering free legal aid to Bluegrass State workers seeking to exercise their new rights to refrain from union membership and union dues payments. Foundation staff attorneys are also preparing for lawsuits filed by union officials attempting to overturn or delay the new Right to Work protections for employees.

The law took effect immediately and applies to union bargaining contracts entered into, extended, or renewed on or after January 7, 2017. Any worker in a contract in effect before January 7, 2017, may still be compelled to pay either union dues or fees. Employees seeking to exercise their rights should contact the Foundation to explore their legal options.

Unfortunately, union officials often try

to stymie independent-minded workers who wish to exercise their rights under Right to Work laws.

“As we’ve seen before, union bosses try to make it as hard as possible for workers to exercise their right to refrain from paying any union dues or fees, or resign union membership. Right to Work laws are only words on paper unless they are vigorously enforced, which is why the Foundation has launched this special task force,” said Patrick Semmens, Vice President of the National Right to Work Foundation.

### **Enforcing Right to Work Laws Key Part of Foundation’s Mission**

Semmens continued, “Even if Big Labor lawsuits will ultimately fail to overturn the law, union officials hope a ruling by a friendly judge or just the lawsuit itself will create confusion that results in workers not exercising their new legal protections to cut off all payments to the union. That’s the playbook we’ve seen in recent years, and what we are prepared for in Kentucky.”

The Foundation has a long history of


assisting employees seeking to exercise their Right to Work protections. Defending and enforcing Right to Work protections has long been one of the most critical tasks undertaken by Foundation staff attorneys.

After the passage of a Right to Work law in Indiana in 2012, union bosses sought to wipe out the law with two lawsuits in state court and one in federal court. Foundation staff attorneys submitted amicus curiae briefs in both state court cases and conferred with lawyers about what legal arguments to make for the State of Indiana in the federal challenge to Right to Work. All three lawsuits were ultimately dismissed, and Right to Work was upheld.

In Michigan, which passed state Right to Work laws in 2013, Foundation attorneys filed amicus curiae briefs in defense of both the private sector and the public sector Right to Work laws. Both union lawsuits were eventually unsuccessful. Additionally, Foundation attorneys have filed some 28 actions for Michigan workers seeking to exercise their Right to Work.

In Wisconsin, which passed a state Right to Work law in 2015, Foundation staff attorneys submitted amicus briefs in both federal and state court in response to union boss lawsuits that allege that Right to Work laws constitute an illegal “taking” of union resources. A federal judge struck down the federal lawsuit and the state lawsuit is pending.

The Foundation also has a legal task force in West Virginia helping to defend the Mountain State’s Right to Work law, which went into effect last summer and is subject to a dubious union lawsuit in state court.

Any Kentucky worker who has questions about his or her rights, or encounters any resistance or abuse while trying to exercise his or her workplace rights, is encouraged to contact Foundation staff attorneys for free legal aid. 

# Tax Season Is Here! Do You Have a Plan?

April 15th is just around the corner, and many of our most generous supporters are considering how they can simultaneously invest in worker freedom and reduce their tax burden.

With uncertainty about the future of taxes and deductions, now is the ideal time for you and your family to explore the many options available to strategically maximize your tax savings while providing a tax-deductible gift to support the Foundation's free legal aid to victims of compulsory unionism abuses.

## Gifts of Cash

Cash, in the form of a check, credit card, or direct transfer of funds, is the most common method of making a charitable gift today to the Foundation. Gifts of cash reduce either regular or alternative minimum income taxes, and your actual savings depend on your current tax rate, along with other factors.

## Gifts of Stock

With the stock market in record-setting territory, this may be the time for you to consider a gift of appreciated stock, mutual funds, or other securities that have increased substantially in value since they were purchased and have been held over a year. Such appreciated securities are subject to a capital gains tax when they are sold by the owner. Gifts of such stock may be deducted in amounts totaling up to 30 percent of your AGI limits. With the stock market continuing to leap to record highs, a gift of stock may be the best option for you to send a gift to the Foundation today.

### Instructions for a gift of Stock or Securities:

Beneficiary: National Right to Work Legal Defense  
Foundation, Inc.  
8001 Braddock Road, Suite 600  
Springfield, VA 22151

Receiving Bank: Merrill Lynch  
Account Number: 86Q-04155  
DTC Number: 5198

## Making a Long-Term Planned Gift

Many of our donors have expressed an interest in leaving the Foundation a gift in a will or estate plan. Tax season is a good time to sit down with family members and come up with a long-term plan that is beneficial to family and charities.

Here is the suggested language for leaving a bequest to the Right to Work Foundation in your will or trust instrument, or when amending your will or trust:

I give, devise and bequeath to National Right to Work Legal Defense and Education Foundation, Inc., 8001 Braddock Road, Springfield, Virginia 22151, for its general purposes:

- a. The sum of \$ \_\_\_\_\_; or
- b. Name a particular investment or piece of Property with legal description, custodian, etc. as applicable; or
- c. \_\_\_\_\_ percent of the rest, residue and remainder of my estate, including property over which I have power of appointment; or
- d. All the rest, residue and remainder of my estate, including property over which I have a power of appointment.

Please remember, a gift from your estate is an investment in the future work of the Foundation, assisting the thousands of heroic workers who have stepped up to combat the abuses of compulsory unionism.

All of us here at the Foundation are grateful for your support and the consideration of a long-term gift in the near future.

As with all tax considerations and planned gifts, we advise you to consult with your tax advisor or estate attorney before making a decision.

***If you have any questions, or need additional information about a planned gift, gift of stock, or any other gift to the Foundation, please contact Ginny Smith at 800-336-3600. Thank you for your generosity, and all the best for 2017!***

*Donations to the Foundation are fully tax deductible in the same manner as donations to a church or university. As in all legal, tax, and financial matters, please consult your tax advisor or estate attorney before making a decision on a planned gift or stock contribution.*

# WV Worker Wins FEC Settlement After Money Diverted to Union Political Fund

## *Foundation-aided truck driver illegally forced to fund Laborers Political Action Fund*

WASHINGTON, DC – West Virginia worker Jeffrey Richmond finally has closure on a four-year legal battle in West Virginia that began with being forced to contribute to a union boss Political Action Committee and included being fired. In response to charges filed by Foundation staff attorneys against the company and the associated union, the Federal Election Commission (FEC) recently assessed Penn Line Service, Inc. of West Virginia a fine as a civil penalty. The company was found guilty of illegally deducting union dues and PAC contributions from Richmond's paycheck to send to LIUNA union officials and then retaliating against Richmond for objecting to the scheme.

In July 2012, nearly four years before West Virginia passed a Right to Work law, Penn Line hired Jeffrey Richmond as a driver/laborer. At the time, the company had a monopoly bargaining agreement in force with the Laborers International Union (LIUNA), Local 453. Richmond was not a member of LIUNA and did not authorize any form of payroll deduction.

Several months later, Penn Line presented Richmond with a union membership form. On that mandatory form was a section for payroll contributions to the LIUNA Political Action Committee. Under federal law, contributions to political action committees or funds must be completely voluntary, and workers may refuse to contribute without fear of reprisal. Richmond agreed to join the union, signing the membership portion of the form, but chose not to authorize payroll deductions to the PAC.

However, Penn Line representatives, without authorization, deducted money from Richmond's paycheck dating back to the date of his hiring for the union PAC fund. Shortly after Richmond signed the membership form without the PAC payroll deduction section, a Penn Line



***Union officials conspired to illegally deduct money from a WV worker's paycheck and send it to a PAC for union partisan politics.***

official informed him that the form was being returned to him for his authorization of the union PAC deductions. When Richmond refused, Penn Line immediately fired him, even though federal law clearly states that all PAC contributions must be completely voluntary.

### **Foundation Attorneys Filed NLRB Unfair Labor Practice Charges**

Richmond reached out to the Foundation, and with the assistance of Foundation staff attorneys filed unfair labor practice charges with the National Labor Relations Board (NLRB). The charges were investigated, and in 2013 Penn Line Service, Inc. was forced to settle. Under the terms of that settlement, Richmond was awarded back pay as damages, as well as reimbursements for items like uniforms.

"This scheme is a blatant example of the illegal confiscation of a worker's money for union boss electioneering," said Patrick Semmens, Vice President of the Foundation. "Further adding to the outrage, when this worker objected to

the theft, he was terminated as retaliation for standing up for his rights."

### **Union and Company Officials Hit with FEC Charges**

Foundation staff attorneys also assisted Richmond in filing charges with the Federal Election Commission (FEC). The charges listed four counts of Penn Line and LIUNA brass' violation of Richmond's rights. These counts included the numerous times when Penn Line officials refused to inform Richmond of his right to refuse to contribute to a PAC without reprisal, the failure to notify Richmond of the political purposes and nature of the deductions from his paycheck, and the illegal termination of his position despite his religious objection status.

The FEC investigated the charges against Penn Line, Laborers International Union, and LIUNA Local 453, determining that Penn Line had illegally deducted union dues from workers' paychecks for political purposes without giving the workers an opportunity to object. The FEC approved a concili-

*See Union Election Corruption page 8*

## Trump SCOTUS Pick Could End Stalemate on Public Sector Forced Dues

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filed suit against the Pennsylvania State Education Association union in the U.S. District Court for the Middle District of Pennsylvania in Harrisburg. The lead plaintiff, Greg Hartnett, is an art teacher in the Homer-Center school district.

“Teaching is my calling, but I fundamentally disagree with many teachers union stances on personal and political issues,” said Hartnett. “Even though union leaders violate my beliefs, I must either give them a cut of my paycheck or lose my job. That’s coercion. That’s immoral.”

“My choices have been taken away by a legal system stacked in favor of unions and against individual teachers,” Hartnett continued. “If I’m trusted to teach the next generation, I should be trusted to make my own decisions with my own money. That’s just common sense.”

### High Court Showdown Near Certain

In California, Foundation staff attorneys are again representing two public servants, who have been fighting union boss abuses for years, in their new lawsuit challenging *Abood*. Jeffrey Lum and Andrew Li are employees of the Santa Clara Valley Medical Center who recently, assisted by Foundation staff attorneys, won a settlement against the SEIU after union bosses illegally seized full union dues, including money used for SEIU politics, from the paychecks of non-member employees without following the necessary procedures required by the Foundation-won case, *Chicago Teachers Union v. Hudson* (1986).

A group of New York school district electricians have filed a similar suit as well. “One of the main reasons I believe a person should have a choice to either be in the union or not is the use of mandatory agency fees,” said Frank Pelli, lead plaintiff in the New York case.

“The fundamental question at the heart of these lawsuits is whether forc-



**Andrew Li from Santa Clara California is a long time champion of workers rights, and has won several cases against local Union Boss trespasses.**

ing public servants to subsidize union activities violates the First Amendment,” said Ray LaJeunesse, Vice President and Legal Director of the National Right to Work Foundation. “These three new cases join four other cases previously filed by Foundation staff attorneys. Our attorneys represent the full spectrum of public employees, from teachers in Pennsylvania to state government employees in Illinois, university professors in Massachusetts to medical center technicians in California, State Troopers in Connecticut to school electricians in New York and school aides in Kentucky.”

One of these cases, *Janus v. AFSCME*, is rapidly making its way through the court system, making it the case most likely to reach the Supreme Court first. *Janus* stems from an executive order of Illinois Governor Bruce Rauner that sought to stop the state from collecting forced union dues for union officials until the constitutionality of those fees is resolved. Governor Rauner simultaneously filed a lawsuit in U.S. District Court for the Northern District of Illinois contending that collecting forced dues or fees from

state employees as a condition of employment violates the First Amendment of the Constitution.

Foundation staff attorneys then filed a motion to intervene as plaintiffs for Mark Janus and other state employees who are forced to pay union fees as a condition of employment. A judge eventually ruled that Governor Rauner did not have standing in court, but let the Foundation-represented employees continue the challenge to the constitutionality of forced fees.

Oral arguments in the case were scheduled in the Seventh Circuit Court of Appeals for early March, and a ruling is expected several months thereafter.

### New Justice Will Hear Cases That Follow in Friedrichs Footsteps

From there Foundation staff attorneys would likely file a petition for a writ of *certiorari*, asking the U.S. Supreme Court to hear the case during its term that begins in October 2017.

“It takes a lot of courage to stand up for freedom,” said Rebecca Friedrichs, the lead plaintiff in *Friedrichs v. CTA*. “I’m so proud of and cheering for these four courageous Pennsylvania teachers, three brave New York school employees, and two more Californians who are standing up for our hard fought liberties and bringing these cases. It is my prayer they will be victorious so all Americans can have their First Amendment rights restored.”



**The NEW  
NRTW.ORG**

The Foundation recently released a new version of its award-winning website. Visit today!

[www.NRTW.org](http://www.NRTW.org)


On February 2, President Trump nominated Judge Neil Gorsuch, Tenth Circuit Court of Appeals in Colorado, as his selection for Supreme Court Justice. Gorsuch, if approved by the U.S. Senate, would fill the opening left vacant by the untimely death of Justice Scalia.

Until Judge Scalia's passing, most legal observers agreed that the Court was set to rule 5-4 in the *Friedrichs* case and declare that civil servants cannot be forced to pay any dues or fees to a union as a condition of employment. A ruling like that would cut off billions of dollars in forced dues that Big Labor uses to push its radical political agenda at the expense of workers' freedom.

But after the sudden death of Justice Antonin Scalia, the Court deadlocked four-to-four. Now the next Justice will likely be the swing vote on the issue of whether mandatory union dues and fees violate the first amendment rights of public employees.

Legal experts generally agree that Gorsuch's past rulings and published opinions seem to parallel the pre-Supreme Court track record of Justice Scalia, whose seat Gorsuch has been nominated to fill, and who seemed poised to cast the decisive vote in *Friedrichs*.

Foundation staff attorneys have a number of cases that are approaching the Supreme Court, including one before the U.S. Court of Appeals that could be among the first cases heard by the new Justice.

"Americans overwhelmingly agree that every employee should have the right to work without being forced to pay tribute to union officials," LaJeunesse continued. "Our hope is that the Supreme Court will soon follow through on its recent rulings and opinions with a decisive ruling freeing millions of public servants from forced union dues." 

# National Right to Work Foundation In the News

The Foundation's Legal Information Department works to highlight the abuses of compulsory unionism and promote the Foundation's cutting edge legal program. Here is a partial list of media featuring the Foundation since the new year.

## National Media

Politico, Jan. 6  
 Washington Free Beacon, Jan. 6  
 Pittsburgh Tribune Review, Jan. 7  
 Bloomberg Daily Labor, Jan. 10  
 Watchdog.org, Jan. 10  
 National Law Review, Jan. 18  
 Philadelphia Inquirer, Jan. 18  
 JD Supra Business Advisor, Jan. 19  
 Law360, Jan. 23  
 Washington Times, Jan. 23  
 Politico, Jan. 24  
 Reuters, Jan. 24  
 WestLaw Practitioners, Jan. 24  
 National Law Review, Jan. 27  
 JD Supra Business Advisor, Jan. 30  
 UnionWatch.org, Jan. 31  
 Bloomberg Daily Labor Report, Feb. 2  
 International Business Times, Feb. 6  
 Sacramento Bee, Feb. 7  
 Yahoo News, Feb. 7  
 Reuters, Feb. 7  
 WestLaw Practitioner Insights, Feb. 7  
 The Hill, Feb. 7  
 InsideSources.com, Feb. 9  
 Sacramento Bee, Feb. 9  
 JD Supra Business Advisor, Feb. 9  
 FoxNews.com, Feb. 10  
 National Law Review, Feb. 10  
 Washington Free Beacon, Feb. 10  
 Law360, Feb. 14  
 Reuters, Feb. 14  
 WestLaw Practitioner Insights, Feb. 14  
 CourthouseNews.com, Feb. 15

## TV and Radio

WDRB-TV, Jan. 11  
 Kentucky Public Radio, Jan. 13  
 KFVS-TV, Jan. 23  
 Fox 2 Now St. Louis, Jan. 23  
 KMOV, Jan. 23  
 KSPR-TV, Jan. 23  
 KY-3, Jan. 23  
 KRTS AM, Jan. 23  
 KWMU, Jan. 23  
 KY-3, Jan. 23  
 KRCG (CBS), Jan. 23  
 KMOX-AM, Jan. 23  
 WSIL (ABC), Jan. 23  
 KSPR-TV, Jan. 23  
 KMBC (ABC), Jan. 23  
 KTLO, Jan. 24  
 KBIA, Jan. 24  
 KTRS, Jan. 24  
 Liberty Roundtable, Feb. 7  
 Fox News, Feb. 10  
 KOMU-TV (NBC), Feb. 14  
 WBCK-AM, Feb. 14  
 KLPW-AM, Feb. 15

## Regional News Outlets

The Eagle Tribune (MA), Jan. 6  
 BVT News (PA), Jan. 19  
 Louisville Courier Journal (KY), Jan. 19  
 Orange County Breeze (CA), Jan. 20  
 Louisville Courier Journal (KY), Jan. 20  
 St. Louis Post Dispatch (MO), Jan. 23  
 Clay Center Dispatch (KS), Jan. 23  
 The Daily Progress (VA), Jan. 23  
 West Plains Daily Quill (MO), Jan. 23  
 Belleville News-Democrat (IL), Jan. 23  
 Argus Press (MI), Jan. 23  
 Bryan College Station Eagle (TX), Jan. 23  
 Indiana Gazette (PA), Jan. 23  
 Kansas City Star (MO), Jan. 23  
 St. Louis Business Journal (MO), Jan. 23  
 World News Network, Jan. 23  
 Murray State News (KY), Jan. 23  
 Hannibal Courier Post (MO), Jan. 23  
 South East Missourian (MO), Jan. 24  
 Bristol Herald Courier (VA), Jan. 24  
 Springfield News Leader (MO), Jan. 24  
 The Gleaner (KY), Jan. 24  
 The Daily Reporter (IN), Jan. 24  
 MO Lawyers Media (MO), Jan. 24  
 St. Joseph Post (MO), Jan. 25  
 Dawson Springs Progress (KY), Jan. 25  
 The Beaver County Times (PA), Jan. 26  
 Illinois Review (IL), Jan. 27  
 Missouri Lead Story (MO), Jan. 27  
 Illinois News Network (IL), Feb. 1  
 Alton Daily News (IL), Feb. 2  
 Federal Society Blog, Feb. 2  
 Chattanooga Times Free Press (TN), Feb. 6  
 Charleston Gazette-Mail (WV), Feb. 10  
 Palmetto Business Daily (SC), Feb. 13  
 The Jackson Free Press (MS), Feb. 14

## Extra! Extra! Newsclips Requested!

Send articles exposing abusive union practices from your local paper to:  
 NRTWLDF

ATTN: Newsclip Appeal  
 8001 Braddock Road, Ste. 600  
 Springfield, VA 22160

Supporters can also email stories to:  
 info@NRTW.org

## Union Election Corruption

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ation agreement in October of last year that fined Penn Line the sum of \$5,500. Despite the Foundation's FEC charges specifically alleging the involvement of LIUNA officials, LIUNA International and LIUNA Local 453 union officials ultimately were not punished by the FEC for their role in the illegal scheme.

## Unions Caught Engaging in Illegal Electioneering

This is not the first time that FEC charges have been filed against a union for funding political action through illegal dues deductions or mishandling of funds. Following a complaint filed by Foundation staff attorneys in 2007 against Americans Coming Together, an SEIU "527" group, the FEC levied record fines albeit not large compared to the hundreds of millions of dollars involved in that case.

"Under Foundation-won court precedent, workers have the right to refuse to pay for political and ideological union activities," continued Semmens. "This sort of dramatic overreach of power by union officials is what laid the groundwork for West Virginia to become the 26<sup>th</sup> Right to Work state early last year."

The Foundation created a special task force last year to defend and enforce West Virginia's newly passed Right to Work law. Foundation staff attorneys are offering free legal advice and aid to Mountain State workers seeking to exercise their rights guaranteed by the Right to Work Law to refrain from union membership and union dues payment.

In addition, Foundation staff attorneys are currently defending the West Virginia Right to Work Law in state court against a lawsuit by several unions seeking to overturn the law that ends Big Labor's power to have a worker fired for refusing to pay union dues or fees. ⚖️



## Message from Mark Mix

President  
National Right to Work  
Legal Defense Foundation

Dear Foundation Supporter,

2017 is off to a great start.

In the first five weeks of the year, two states — Kentucky and Missouri — have passed Right to Work laws.

This pace of action has never happened before.

Additionally, the Foundation has seven cases moving through the courts to end forced dues for public employees, with one just a step away from the Supreme Court, where a new Trump-appointed Justice could be the decisive vote to end government sector forced dues.

But as I am sure you know, union bosses never give up their forced-dues powers without a fight.

As you will read about in this issue of *Foundation Action*, Missouri union officials got a big political kickback when outgoing Big Labor-friendly Secretary of State Jason Kander signed ten different ballot initiatives to wipe out Missouri's Right to Work Law just hours before leaving office.

Thankfully, because of your generous support Foundation staff attorneys jumped into action and filed a lawsuit immediately for pro-Right to Work Missouri workers, challenging the initiatives.

Your continued support will be needed more than ever to ensure workers' newly won rights are enforced and protected.

Together we can make this a landmark year for worker freedom.

Sincerely,

Mark Mix