



# Foundation Action

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

Vol. XLV, No. 5

8001 Braddock Road • Springfield, Virginia 22160

www.nrtw.org

September/October 2025

## Cornell Graduate Students Launch Cases Attacking Campus Union Boss Power

*Trump NLRB may have new opportunity to end union intrusions on campuses for good*

ITHACA, NY – This summer, independent-minded graduate students at some of America’s best-known universities continued to lead the battle against campus union bosses’ coercion, harassment, and ideological extremism with free legal aid from National Right to Work Foundation staff attorneys.

In June, Foundation staff attorneys filed federal anti-discrimination charges at the Equal Employment Opportunity Commission (EEOC) for two Jewish graduate students at Cornell University, David Rubinstein and Louie Gold.

These charges challenge the latest tactics United Electrical (UE) bosses and their affiliated local unions designed to compel students into funding the union’s agenda, regardless of the ideological and religious objections the students have to the union’s stances and messaging.

The UE traces its roots to communism in the 1930s, and union officials have supported anti-Israel protests at colleges across America, causing many Jewish students and others on campus to fear for their safety.

In July, Foundation attorneys and another Cornell graduate student, Russell Burgett, launched a separate groundbreaking case to strike at the heart of the government-granted privileges that UE union officials use to impose their will on private universities. This case, which is currently pending at the National Labor Relations Board (NLRB), tees up a direct challenge to Obama- and Biden-era NLRB decisions that allow



*David Rubinstein is appalled by CGSU-UE union officials’ anti-Israel rhetoric and violation of his religious freedom rights. He’s part of a growing movement by graduate students to challenge forced unionism on campus.*

union officials to deem graduate students “employees” subject to union monopoly control.

### Union Tyrants Demand Student Support as a Condition of Academic Advancement

The tyrannical attitude of UE union officials toward campus affairs cannot be overstated -- nor can their lack of concern for any student who resists affiliating with the union. In a *Law360* article following the filing of Burgett’s case, a UE union official commented, without a hint of irony, that Burgett’s Foundation-supported case was “another move toward authoritarianism.”

“UE union bosses’ quest for power goes far beyond the control they wield over university

administrations. They force graduate students into having to choose between abandoning their graduate degrees, or completing them while associating with an ideological group they find reprehensible,” commented National Right to Work Foundation President Mark Mix. “The simple fact is that radical union officials should have never been granted the power to force this decision upon graduate students.”

### Religious Objectors Fight Union Boss Harassment

Rubinstein and Gold explain in their charges that they submitted requests to union officials seeking religious accommodations to union dues payments. These were based

*See ‘Landmark Student Case’ page 7*

## IN THIS ISSUE

- 2 Coca-Cola Driver Files New Case to Overhaul Federal Standards on Dues for Politics
- 3 MI Construction Worker Urges Appeals Court to Defend Workers’ Right to Remove Unions
- 4 Foundation Files Brief Defending Wisconsin Act 10 Reforms From Spurious Union Lawsuit
- 5 Louisiana Poultry Employee Launches Case to End ‘Contract Bar’
- 6 Electrician Slams Union Bosses with Federal Charges Following \$1.29 Million Retaliatory Fine

## Coca-Cola Driver Files New Case to Overhaul Federal Standards on Dues for Politics

**Worker's federal charge blasts Teamsters' illegal conduct, seeks greater protection for worker paychecks**

PITTSBURGH, PA – “I don’t support Teamsters politicking. My job definitely shouldn’t hinge on whether my hard-earned money is funding it.”

These are the words of Josh Hammaker, a Pittsburgh-area Coca-Cola distribution driver who is not only exposing corrupt dues practices by Teamsters Local 585 union officials at his workplace, but also pushing for workers to be more independent than ever before from union bosses’ forced-dues-for-politics schemes.

With free legal aid from National Right to Work Foundation staff attorneys, Hammaker filed federal charges at the National Labor Relations Board (NLRB) in late June maintaining that Teamsters bosses threatened to get him fired if he did not formally join the union and fork over dues for union political expenditures.

Both practices plainly violate long-established federal labor law. Under the Foundation-won *Communication Workers of America v. Beck* Supreme Court decision, union bosses cannot force workers like Hammaker who have opted out of union membership to pay fees for union political or ideological expenditures. While Pennsylvania is not a Right to Work state, and, for that reason, Teamsters officials can enforce contracts requiring nonmembers to pay fees



**Coca-Cola delivery driver Josh Hammaker has a take on dues for politics that is just as refreshing as the drink itself: Workers shouldn’t be forced to “opt out” of funding union politics. Union chiefs need to obtain consent before deducting such dues.**

as a condition of employment, *Beck* holds this amount cannot include money for politics. The National Labor Relations Act (NLRA) also protects workers’ right to abstain from formal union membership.

### Workers Shouldn’t Be Forced to ‘Opt Out’ of Funding Radical Union Politics

But Hammaker’s case doesn’t stop at just defending his own *Beck* rights. His charges go on to challenge the fact that Teamsters officials’ policies force workers to “affirmatively opt out of paying for non-chargeable expenditures” (if such requests are accepted at all), as opposed to letting

workers voluntarily *opt in* to such support.

For decades, union officials have adhered to the practice of automatically charging workers full membership dues -- including dues for politics -- and making workers jump through hoops to exercise their *Beck* rights and avoid such payments. Even worse, union officials often neglect to inform workers of their *Beck* rights at all.

Hammaker’s case seeks to reverse that paradigm and create a new federal standard mandating union officials seek clear consent from workers *before* extracting full union dues payments from their paychecks.

### NLRB Needs to Do More to Protect Employees’ *Beck* Rights From Union Predation

“Like the rest of top Big Labor bosses, Teamsters kingpins oppose popular Right to Work laws so they can extort dues from unwilling workers and use that money to fund a radical political agenda that is completely out of touch with the priorities of most rank-and-file employees,” commented National Right to Work Foundation Vice President Patrick Semmens. “The solution to this problem is ensuring all union payments are completely voluntary, so union officials cannot have workers fired solely for refusing to pay dues or fees.

“While we wait for the day when Congress takes action to strip union officials of their government-granted forced-dues powers, the NLRB should help protect workers from the worst forced-dues-for-politics abuses,” added Semmens. “It’s long past time that the NLRB require union officials to *earn* political support from those workers they claim to ‘represent’ and end schemes that require workers to opt-out of funding union political activities.”

## Foundation Action

Sandra Crandall  
William Messenger  
Don Loos  
Patrick Semmens  
Mark Mix

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

Distributed by the  
National Right to Work Legal Defense Foundation, Inc.  
8001 Braddock Road, Springfield, VA 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.

## MI Construction Worker Urges Appeals Court to Defend Workers' Right to Remove Unions

*Employee challenges policy that let union bosses nullify his coworkers' vote to oust unpopular union*

CINCINNATI, OH – Imagine a country in which the ruling party could overturn an election that they lost, simply by alleging wrongdoing by their opposition with little or no investigation into how that affected the vote. Such a country would rightly be considered a rigged, authoritarian regime.

Unfortunately, this is exactly the kind of election structure that American workers have to put up with when it comes to private sector unions. Even if workers who want to vote a union out of power in their workplace successfully navigate the complex process of petitioning for a union decertification election, union bosses can still prevent workers from exercising their right to vote by filing “blocking charges” with the National Labor Relations Board (NLRB). Such charges usually contain unverified and unrelated allegations of employer misconduct.

In the most egregious cases, union bosses can even get employees' ballots effectively thrown out *after they've already been cast*. This is what happened to Rayalan Kent and his colleagues, who are employees of asphalt firm Rieth-Riley Construction Company in Michigan. Kent has received free legal representation from National Right to Work Foundation staff attorneys since 2020 when he began efforts to vote the International Union of Operating Engineers (IUOE) Local 324 out of his workplace.

### NLRB Maintains 'Blocking Charge' Policy Despite Judicial Criticism

In 2022, the NLRB Regional Director dismissed Kent's union decertification petitions after he and his colleagues had already voted in an election. The NLRB declined to count the already-cast ballots just hours before the vote tally, calling it a “merit-determination” dismissal. This dismissal was based on unfair



**Rayalan Kent fought for years to defend his coworkers' right to vote out IUOE union officials. His NLRB case might be done, but he's not: His new legal brief calls for substantial NLRB election reforms.**

labor practice allegations that the IUOE filed against Rieth-Riley management all the way back in 2018.

Kent's case ended with that extremely dubious decision, but he and his fellow employees still have a chance to vindicate their right to vote IUOE bosses out. Foundation attorneys filed a legal brief on Kent's behalf this July in a case where his employer, Rieth-Riley, is defending its refusal to bargain with the union because of the questionable dismissal of Kent's petition. Foundation attorneys argue in the brief that the Sixth Circuit Court of Appeals in Cincinnati should use this case, *Rieth-Riley Construction Co. vs. National Labor Relations Board*, as an opportunity to invalidate the NLRB's “merit-determination” dismissal policy.

Kent's amicus brief argues that the NLRB's use of “merit-determination” dismissals and other “blocking charge” policies violates the purpose of the National Labor Relations Act (NLRA), the federal law the NLRB is responsible for enforcing. The NLRA requires that the Board hold a hearing and an election when employees submit a valid petition

requesting a union decertification vote. However, “by dismissing Mr. Kent's decertification petitions based on the mere allegations in the Union's blocking charge, the Region and the Board failed to comply with Congress' directive that the Board ‘shall’ conduct a hearing and ‘shall’ conduct an election when a question of representation exists,” says the amicus brief.

The brief also points out that the NLRB's “merit-determination” dismissal policy violates rules the agency itself promulgated. In 2020, after extensive policy recommendations from Foundation attorneys, the NLRB finalized its Election Protection Rule, which mandated that “blocking charges” could no longer stop workers from exercising their right to vote in a union decertification election. But in Kent's case, the NLRB halted the vote based on blocking charges.

### So-Called 'Merit-Determination' Policy Must Be Eliminated Completely

“In this brief, Rayalan Kent and his coworkers speak for all independent-minded American workers, whose right under federal law to vote to remove union officials is gravely threatened by the NLRB's various non-statutory policies,” commented National Right to Work Foundation Vice President and Legal Director William Messenger. “Union bosses should not be able to unilaterally override this right, and the Sixth Circuit needs to restore to workers their fundamental rights of free choice under the National Labor Relations Act.” †

Scan the QR code or go to

[www.nrtw.org/kent](http://www.nrtw.org/kent)  
to listen to Mark  
Mix talk NLRB  
reform with  
John Anthony on  
Detroit's Morning  
News



## Foundation Files Brief Defending Wisconsin Act 10 Reforms From Spurious Union Lawsuit

### *Brief dismantles flawed argument that union bosses have 'right' to monopoly bargaining powers*

WISCONSIN – Wisconsin's Act 10, a state law that blocks public sector union officials from manipulating key aspects of the state government's operation, has substantially cut waste and abuse since it was enacted in 2011. Act 10 has won over Wisconsin taxpayers: In a union-instigated 2012 recall vote that targeted Gov. Scott Walker because he signed the bill into law, Walker won by an even greater margin than when he first took office.

Some estimates say the legislation has saved Wisconsin taxpayers more than \$30 billion. But Act 10 has done much more than ensure that Wisconsin taxpayers -- and not union bosses -- control public services and spending. The law also secured important protections for Wisconsin public workers, including requiring that union officials regularly prove they enjoy majority worker support in any workplace where they maintain power.

### **Dubious Union Lawsuit Comes Despite WI High Court Upholding Act 10**

Union bosses have repeatedly tried to kill Act 10 in the courts. Even though the Badger State's highest court turned away a challenge to the legislation in 2014, a cadre of Wisconsin union bosses are now advancing strained constitutional arguments in a new lawsuit to get the law overturned. This effort is fueled on hopes that union boss partisans who have now ascended to the Wisconsin Supreme Court will grant union chiefs' wish.

This July, the National Right to Work Foundation submitted a legal brief to the Wisconsin Court of Appeals in that case (*Abbotsford Education Association v. Wisconsin Employment Relations Commission*) to defend the law's constitutionality.

"[T]he Foundation has frequently



**Former Kenosha, WI schoolteacher Kristi LaCroix utilized free Foundation legal help to defend her workplace rights in Act 10's earlier days. LaCroix was able to free herself and other educators from a forced-dues contract.**

offered its views...in cases impacting upon important aspects of employee freedom," the Foundation's amicus brief reads. "Most importantly here, the Foundation has provided free legal aid to employees in other challenges mounted by unions against various provisions of... Wisconsin Act 10."

### **Union Chiefs Could Regain Massive Coercive Powers If Act 10 Axed**

The Foundation's amicus brief first contends that a state like Wisconsin "can define and limit the parameters of exclusive representation as it sees fit." It points out that union officials' public sector monopoly bargaining powers are not a "right" that the U.S. or Wisconsin constitutions require the government to acknowledge, as Wisconsin union bosses wrongly argue.

"The United States Supreme Court recognized this principle long ago"

in *Smith v. Arkansas State Highway Employees*, the amicus brief says. A lower court in *Abbotsford* erroneously called monopoly bargaining a "right" that the Wisconsin legislature could not tailor as it saw fit.

In 2007, Foundation attorneys won a victory at the United States Supreme Court in *Davenport v. Washington Education Association* that established a similar point: Union officials have no constitutional "right" to seize money from nonconsenting workers.

Wisconsin's Right to Work law and the Foundation's Supreme Court victory in *Janus v. AFSCME* will continue to protect Wisconsin workers from being forced to pay union dues or fees to keep their jobs, no matter what happens to Act 10. But if Act 10 is overturned, union bosses will regain a large measure of their old power to impose their will on Wisconsin public servants.

### **Courts Must Resist Political Push to Nix Act 10**

"Act 10 is a simple recognition that voters and taxpayers -- not unelected union bosses -- should control how the public services Wisconsinites fund are managed," commented National Right to Work Foundation President Mark Mix. "In addition to showing no regard for taxpayers, union bosses' opposition to Act 10 shows they have no regard for workers' will either: Union bosses who don't want to stand for a regular employee vote clearly have no business controlling the workers they claim to 'represent.'"

"The latest attempt to get Act 10 overturned is a power play by Wisconsin union officials that will severely harm the public interest, and no Wisconsin court should be complicit in that scheme," Mix added. ♪

## Louisiana Poultry Employee Launches Case to End ‘Contract Bar’

***NLRB cited biased policy in blocking him and hundreds of his colleagues from voting out UFCW union***

HAMMOND, LA – The text of the National Labor Relations Act (NLRA), the federal law that governs labor relations among American private sector workers, businesses, and unions, contains only one restriction on when employees can request a vote to remove or install a union: a simple “election bar” that runs for one year after employees have voted in an election. But that hasn’t stopped union partisans on the National Labor Relations Board (NLRB) -- the agency supposedly responsible for enforcing federal labor law -- from grafting onto the NLRA all sorts of other restrictions on when workers can exercise their right to vote out unions.

One of the worst of these restrictions is the so-called “contract bar,” which shields union officials from worker-requested decertification elections for up to *three years* after union bosses and management have ratified a union contract. As a recent National Right to Work Foundation case shows, union bosses can manipulate this doctrine to escape any kind of accountability to workers.

### **NLRB Tossed Petition Showing Majority of Workers Wanted Union Gone**

Coty Hally, an employee of Wayne Sanderson Farms’ poultry facility in Hammond, LA, submitted a petition to the NLRB in early July in which hundreds of his coworkers -- well over half of the workplace -- demanded a vote to oust United Food and Commercial Workers (UFCW) Local 455 union officials. Normally, workers only need a 30% showing of interest to trigger a union decertification vote. Nonetheless, a regional NLRB official tossed Hally’s petition based on the contract bar.

Since then, with free legal representation from the National



***Coty Hally suits up daily -- his job at a poultry plant requires the protection. But overbearing UFCW union bosses at his workplace are seeking a different kind of protection -- protection from a removal vote by employees, which they certainly don't deserve.***

Right to Work Foundation, Hally has filed a Request for Review with the NLRB that attacks the contract bar head-on. It calls on the Board in Washington, DC, to overturn the rule completely.

“This union doesn’t represent us, and it’s ridiculous that the UFCW is manipulating this one dated NLRB policy to keep us trapped in the union, even though most of us have expressed interest in voting the union out,” Hally commented.

### **‘Contract Bar’ Stifles Worker Free Choice, Has No Basis in Labor Law**

Hally’s Request for Review points out that the contract bar is absent from the text of the NLRA. “The contract-bar is a Board-created limitation on employee statutory rights to seek an election and determine their own representative,” the Request for Review says. “It is not found in the text of the National Labor Relations Act...and it conflicts with the Act’s core purpose.”

In addition to demonstrating that the contract bar is just an invention of biased NLRB members, Hally’s Request for Review contends the policy stifles worker freedom. “This bar contradicts the Act’s well-established ‘bedrock principles of employee free choice and majority rule’...because it grants monopoly bargaining [power]...even in the

face of objective evidence proving the union has lost majority support,” the Request for Review says.

The Request for Review also presents evidence that the contract bar has only gotten more burdensome over the years. For example, even informal documents exchanged between management and union bosses without workers’ knowledge can now be enough to trigger the contract bar and block employees from exercising their right to decertify, the Request for Review says.

“Foundation staff attorneys continue to witness firsthand the kind of anti-worker gamesmanship that the ‘contract bar’ encourages, including contracts rushed through simply to stifle growing worker support for removing union officials from power,” commented National Right to Work Foundation Vice President Patrick Semmens. “Just a few years ago, the Foundation assisted hundreds of Mountaire Farms poultry workers in Delaware in their battle against the contract bar, which trapped them in union ranks for years until their long-awaited vote finally confirmed what was obvious all along: The workers overwhelmingly rejected the UFCW union.

“In addition to appearing nowhere in the federal law that the NLRB is charged with enforcing, the contract bar denies workers their right to remove a union at the very moment when they are best able to evaluate whether union officials actually delivered on the often farfetched promises about what will be included in the union contract,” commented Semmens. “If the Trump Administration’s incoming NLRB members are serious about restoring worker freedom and reversing the dysfunctional policies of the Biden Administration, they will see the injustice in cases like these and move to eliminate the ‘contract bar’ right away.”

## Electrician Slams Union Bosses with Federal Charges Following \$1.29 Million Retaliatory Fine

***IBEW hit Evansville worker with huge ruinous fine after he left union to run his own business***

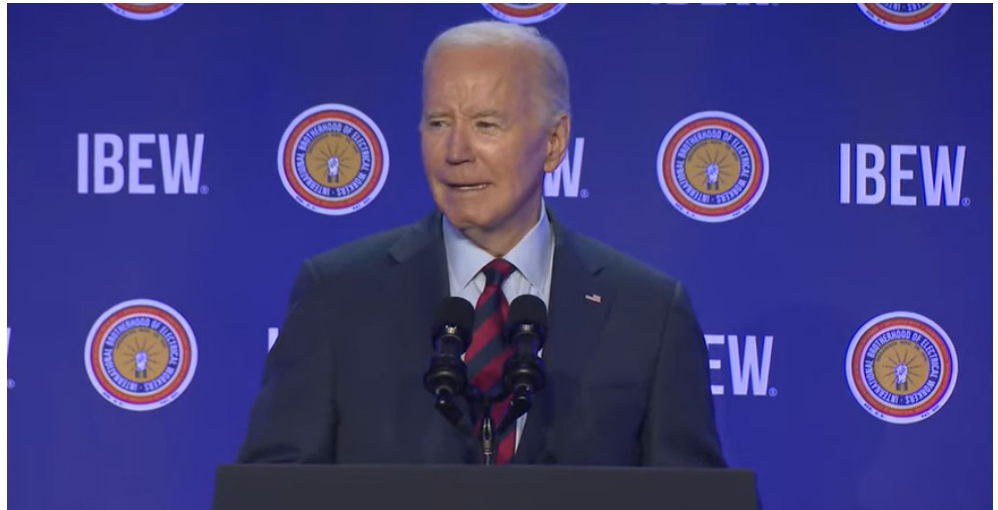
EVANSVILLE, IN – Brian Head, an Evansville-based electrician, was following his American dream. After resigning his membership in the International Brotherhood of Electrical Workers (IBEW) Local 16 union, Brian purchased a non-union electrical firm so he could run his own business. Not so fast, said union bosses. Their goal? Force Head's new business under union control.

In a notarized letter on March 27, 2025, Head exercised his legal right to resign from the union, and around that time left his job at a unionized electrical contractor as a prelude to buying his own electrical contracting company. However, IBEW officials responded to his resignation letter by claiming that there “is a six-month process before the resignation is finally effective.” Then, IBEW Local 16 used this legally baseless restriction as grounds to demand Head appear before a rigged union tribunal, where he was found “guilty” of violating the union’s constitution by purchasing a nonunion company and not becoming “a signatory contractor to IBEW Local 16.” As punishment, union bosses imposed on Head a \$1.29 million fine, which they said would be “suspended” if Head signed his company over to union control within 30 days.

### Zero Legal Basis for IBEW Union Fine Threat

“I followed the legal process and submitted my resignation in good faith,” said Head. “Despite that, the union imposed internal charges and outrageous fines against me -- clear acts of retaliation meant to intimidate and punish me for choosing to operate independently.”

With free legal aid from National Right to Work Foundation staff attorneys, Head filed charges at the National Labor Relations Board (NLRB) against the union for restricting his resignation and threatening him with the fine.



***IBEW stooge Joe Biden sought to manipulate labor law to expand union control. Since his defeat, IBEW union officials have resorted to other methods to achieve that same result -- like threatening ruinous “fines” on independent business owners.***

Under longstanding federal law, union officials have no legal basis for putting such restrictions on workers’ rights to resign their union membership at any time.

Section 7 of the National Labor Relations Act (NLRA) and U.S. Supreme Court decisions like *Pattern Makers v. NLRB* spell out that workers have a right to end union membership and that union officials cannot require such membership as a condition of getting or keeping a job. Right to Work states like Indiana also prevent union officials from forcing workers to pay dues or be fired. Furthermore, union officials also may not impose union discipline, like fines, on workers who aren’t voluntary members.

### Union Bosses Pursue Cartel-Like Control

IBEW Local 16 pursued discipline against Brian Head for “purchas[ing] a non-union electrical contractor and...decid[ing] not to sign a Letter of Assent” that would have likely handed Head’s employees over to union control without any kind of worker vote. The union resorted to this oppressive intimidation tactic to scare Head into handing over control of his workers and his new business.

Unfortunately, union officials have many tools they can use to force workers and businesses into compliance, and cases like this show that greedy union bosses are willing to use every trick in the book to bend workers to their will.

“As ridiculous as this situation is, it’s important to remember that union monopoly bargaining is still the law of the land in all 50 states,” commented National Right to Work Foundation Vice President and Legal Director William Messenger. “Overtly self-interested union bosses like IBEW officials can use this power to extend their so-called ‘representation’ over every worker in a unionized facility, no matter how strenuously a worker opposes the union. That is why it is so important for workers to bring these cases forward.

“IBEW Local 16 union bosses’ imposition of this cruel million-dollar-plus ‘punishment’ on a rank-and-file worker shows that their real priority is maintaining cartel-like control over Indiana electricians -- not standing up for workers’ rights or freedom,” Messenger added. “IBEW bosses have no legal grounds for this obscene exploitation, and we look forward to Brian’s charges being favorably considered by the NLRB.”



Now, more than ever, your National Right to Work Foundation and its strategic litigation program are at a crossroads to end forced unionism in America. Hundreds of calls seeking free legal assistance are pouring in from graduate students, farmworkers, electricians, poultry workers, and numerous other victims of underhanded union boss tactics.

Your investment is critical to allow Foundation attorneys to litigate hundreds of cases at all levels of the court system and establish new precedents to expand the freedoms of millions of hardworking Americans.

Gifts via cash, credit card, and IRA charitable distributions are the most popular ways of supporting the Foundation, but increasingly donors are utilizing the tax-advantageous gift of long-term appreciated stock. By gifting stock or other securities (owned for more than one year), you not only receive a tax deduction for the full fair market value of the gift, but you also avoid capital gains taxes that you might otherwise owe if you sold the securities.

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

|              |   |  |
|--------------|---|--|
| Beneficiary: | National Right to Work Legal<br>Defense and Education<br>Foundation, Inc.<br>8001 Braddock Road, Suite 600<br>Springfield, VA 22151 | Receiving Bank: Merrill Lynch<br>Account Number: 86Q-04155<br>DTC Number: 8862 |
|--------------|---|--|

Your investment is critical to our ongoing strategic litigation and media programs. As in the case of all gifts and estate planning, we encourage you to consult your tax advisor or estate attorney before making a gift. **If you need further information, please contact Ginny Smith at 1-800-336-3600 ext. 3303, or [gms@nrtw.org](mailto:gms@nrtw.org).**

## Landmark Student Case Could End Union Assault on Academic Freedom

*continued from page 1*

on their opposition to the UE's anti-Israel agitation.

Instead of complying with their duty under Title VII to provide the accommodations, however, UE union bosses instead sent "questionnaires" containing invasive and legally irrelevant questions to many religious objectors. The questionnaires include intrusive demands like, "[P]lease include the name and address of the organization sponsoring the [religious] services you attend and the name of the faith leader(s)," and "How long have you had your religious belief?" The end of the questionnaire indicates that union officials may not even respect a student's religious objection after completion of the form, stating ominously that "The UE national union will review your religious objection upon receipt *and may have follow-up questions*" (emphasis added).

"Both nationwide and on the Cornell campus, the UE, [Cornell Graduate Student Union (CGSU)], and their other campus affiliates have



**Cornell graduate students certainly aren't the first to battle UE union bosses' extremism & coercion. In 2024, then-MIT student Will Sussman (right) and his Foundation attorney Glenn Taubman revealed UE's wrongdoing before the U.S. House.**

been at the forefront of demonizing Israel, seeking its destruction, and supporting Hamas's violent and barbaric terrorism against Israel and its inhabitants," the charges read. "The unions had no objective or bona-fide reasons to doubt the [accommodation requests]."

### **New Case Threatens Campus Union Privileges**

Burgett's charges, which explain

that he is an opponent of the union and not a member, argue that the NLRB was wrong to classify graduate students as "employees" subject to unionization in the first place.

For that reason, the charges say, CGSU-UE union officials' attempts to force them to abide by a union contract -- including requirements that the students pay union dues or fees to complete essential parts of their graduate programs -- violate

*See 'Graduate Students' page 8*

## Graduate Students Continue Fight Against Forced Unionism

*continued from page 7*

federal labor law. Further, Burgett's charges contend that the union contract is illegal because it bans the university from doing business with students who abstain from union membership or union financial support. Union agreements that require an entity to cease doing business with those who refuse to associate with the union are clear violations of the National Labor Relations Act.

## Foundation Case Gives Trump NLRB Chance to Restore Freedom

Big Labor officials strategically prevented the issue of graduate student forced unionization from being reviewed by the first Trump NLRB, but this innovative Foundation case for Russell Burgett may make that impossible this time. If the case is successful, the incoming Trump NLRB may have its first opportunity to undo the pernicious NLRB decisions that first gave union officials these powers over graduate students. †

**National Right to Work  
Legal Defense Foundation**

**Rated "A"**  
by  
**CharityWatch**

Source: *Charity Rating Guide*  
June 2025

American Institute of  
Philanthropy



## Message from Mark Mix

President  
National Right to Work  
Legal Defense Foundation

Dear Foundation Supporter,

Albert Einstein once wrote that "Everything that is really great and inspiring is created by the individual that can labor in freedom."

At the National Right to Work Foundation, we know as well as anyone how true Einstein's words are. Our attorneys have represented remarkable men and women from every corner of this great nation, who have bravely stood up so they could labor in freedom.

But union bosses all too often stand in the way of workers' achievements and success. They impose rigid and wasteful requirements in countless American workplaces, and regularly use trickery to force workers into funding their radical politics. And in the 24 states that still lack Right to Work protections, workers can lose their work simply for refusing to pay dues to union bosses.

In this issue of **Foundation Action**, you'll see how your generous support is helping two Americans in vastly different situations reclaim their freedom to work.

On the front page, you can read about David Rubinstein, a graduate student at Cornell University whose research concerns the Jewish diaspora in postwar Europe. When David sought a federally mandated religious accommodation so he wouldn't have to fund a union that took positions that ran directly contrary to his deeply held religious beliefs, UE union bosses resorted to a campaign of harassment. Now he is pursuing a federal antidiscrimination case with Foundation aid to defend his beliefs and his academic freedom.

On page 6, you will learn about Brian Head, an electrician in Indiana who ended his IBEW union membership and left a unionized job to run his own contracting company free of union influence. For daring to strike out on his own and defy union demands that he hand over his employees for monopoly unionization, IBEW bosses illegally threatened him with a \$1.3 million "fine," which Foundation attorneys are now challenging.

The men and women the Foundation helps come from every industry and every walk of life. But they all seek to restore their ability to work in freedom and continue the excellence that make this nation great. Your continued support for them is invaluable, and we thank you every day for it.

Sincerely,