



Foundation Action

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

Vol. XLVI, No. 2

8001 Braddock Road • Springfield, Virginia 22160

www.nrtw.org

March/April 2026

NC Miners Fight Biden-Era Policy Trapping Workers in Unions They Oppose

New majority at federal labor board can eliminate ‘blocking charge’ policy



The Biden NLRB’s “blocking charge” policy serves only to trap workers under union “representation” that they’ve rightfully sought a vote to oust. But courageous miners in North Carolina are now taking a stand against this unfair policy.

SPRUCE PINE, NC – Known by the moniker “The Mineral City,” Spruce Pine is famous for being the origin of a large amount of the world’s high-purity quartz, a key component in manufacturing semiconductors. But now, it’s also the source of a legal challenge that could reshape the American labor law landscape in favor of worker freedom.

Blake Davis, a miner for The Quartz Corp., is challenging a Biden-era National Labor Relations Board (NLRB) policy that is blocking him and his coworkers from voting in a worker-requested election to remove United Mine Workers (UMW) union

officials from their workplace. This policy, called the “blocking charge” policy, hands union officials the power to stymie the union removal (or “decertification”) process simply by filing unproven, unsubstantiated, or unrelated “unfair labor practice” charges at the NLRB alleging employer misconduct.

Filing: ‘Blocking Charge’ Policy Clashes With Federal Law and Workers’ Rights

Davis collected and submitted a petition for a decertification vote in late 2025, which contained enough of

his colleagues’ signatures to trigger a vote under NLRB rules. However, regional NLRB officials have blocked the vote due to the NLRB’s current blocking charge policy.

Davis, with the help of Right to Work attorneys, has now submitted a Request for Review to the NLRB in Washington, DC, which asks the Board to overturn the blocking charge policy and let him and his coworkers vote on whether to remove the UMW union. Since his brief was submitted, the U.S. Senate approved two new presidential appointees to the NLRB, meaning the Board now has a “quorum” and can decide this case and others.

Davis’ Request for Review argues that the NLRB’s blocking charge policy directly conflicts with the text of the National Labor Relations Act (NLRA), the federal law that the NLRB is responsible for enforcing.

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Funeral Home Workers Win Vote to Bury Unwanted Teamsters ‘Representation’

Despite union attempt to block election, workers win freedom with Foundation aid

MILWAUKEE, WI – Employees at three Milwaukee-area Krause Funeral Home & Cremation Services locations have freed themselves from the unwanted “representation” of Teamsters Local 344 union officials.

The workers’ triumph came after Krause management withdrew recognition of the Teamsters based on a petition showing that the union had lost majority support among workers. Krause employee Noah Watry submitted this petition and later defended it with free legal aid from National Right to Work Foundation staff attorneys.

Teamsters Bosses’ Dismal and Disrespectful Actions Angered Workers

While Teamsters union bosses initially tried to block the ouster, claiming Krause committed an unfair labor practice by withdrawing recognition, union officials quickly backed down after Foundation staff attorneys filed a Motion to Intervene with the National Labor Relations Board (NLRB) on Watry’s behalf.

Watry had submitted a



Noah Watry and his fellow employees grew tired of Teamsters bosses’ self-serving agenda -- which was especially inappropriate within the solemn setting of Krause Funeral Home.

“decertification petition” to the NLRB, in which he and his coworkers requested that the agency hold a vote to remove the Teamsters union. That petition contained more than enough signatures from employees in his work unit to trigger an election under NLRB rules.

Krause workers expressed that Teamsters union officials had communicated poorly and dragged their feet on negotiating contracts, but these were far from the only reasons they wanted the union gone. Some also found it very disrespectful

that Teamsters officials orchestrated strikes along the sidewalk when Krause held funerals -- including funeral proceedings for a child and a WWII veteran.

Watry shared a copy of his employee petition with Krause officials, who, following the NLRB’s *Levitz Furniture Co.* precedent, ended recognition of the Teamsters after seeing that the petition signers also requested that Krause withdraw recognition.

Teamsters Attempt to Delay the Inevitable

Even though Krause had followed NLRB case law in withdrawing, Teamsters union agents sought to block the employee petition and the employer’s withdrawal by filing unfair labor practice charges against Krause with the NLRB, alleging that the company had withdrawn recognition illicitly. This prompted an NLRB Regional Office to begin prosecuting the funeral home company, but Watry defended the withdrawal that he and his coworkers had requested by filing a Motion to Intervene.

Eventually, NLRB officials set the case for a hearing before an Administrative Law Judge. Almost immediately, Teamsters lawyers withdrew all charges against Krause, likely knowing that a hearing would reveal the meritless nature of union officials’ unfair labor practice charges. This effectively ended the Teamsters’ presence at Krause’s facilities.

“This case illustrates clearly the lengths that union officials will go to in order to hold on to power

See ‘Foundation Triumphs’ page 8

Foundation Action

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

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Sacramento Charter School Educators Seek Freedom From CA Labor Tyranny

Majority-backed effort to oust union may shift labor landscape for California charter teachers

SACRAMENTO, CA – A majority of educators for charter school operator St. HOPE Public Schools are supporting a legal effort that may not only free them from the control of Sacramento City Teachers Association (SCTA) union officials, but may soon free charter school teachers across the state from the onerous California labor bureaucracy.

With free assistance from the National Right to Work Legal Defense Foundation, St. HOPE educator Beth Simonton filed a union decertification petition in January seeking a vote among her colleagues to oust the SCTA union. SCTA is an affiliate of the California Teachers Association (CTA) union and the National Education Association (NEA) union -- the latter of which is headed by the radical Becky Pringle.

Simonton filed her petition at the National Labor Relations Board (NLRB), the agency tasked with enforcing federal labor law for most private sector employees. That task includes administering votes to install (or “certify”) and remove (or “decertify”) unions. The work unit covered by the petition includes over 50 teachers from PS7 Elementary School, PS7 Middle School, and Sacramento Charter High School. Because a majority of teachers in the unit signed the petition, the NLRB should promptly approve and schedule a decertification election.

“SCTA union officials have been extremely divisive and have not had a positive impact on teachers, students, or the St. HOPE community as a whole,” commented Simonton. “They’ve spent much more time trying to demonize



After enduring years of bad “representation” and divisive behavior, Beth Simonton (center) and a majority of educators at St. HOPE charter schools in Sacramento are ready to vote the SCTA union out.

school leadership than simply standing up for our interests. I’m proud to represent the majority of educators at St. HOPE who are standing up and saying ‘enough is enough.’”

SCTA Union Bosses Cause Discord in Sacramento Schools

The SCTA first gained monopoly bargaining power over the charter system in 2018 in a process overseen by the California Public Employment Relations Board (PERB). That agency foisted the union on educators through a mandatory “card check” process that bypassed any secret ballot vote. The PERB is notorious, even compared to the NLRB, for its bias in favor of union bosses and against the rights of employees opposed to union affiliation.

By 2021, St. HOPE teachers banded together and petitioned for a union decertification vote, but SCTA union officials filed misconduct charges and got the PERB to block the vote under the

PERB’s extreme “blocking charge” regulations. These mandate that any union boss allegations be assumed true, even if there is no evidence to support them. As a result, the teachers were never allowed to cast votes on whether to remove the union.

Petition: Charter School Not Properly Under Authority of CA Labor Bureau

This time, with National Right to Work Foundation legal assistance, the teachers filed their decertification petition with the NLRB instead of the extremely biased California PERB. Foundation staff attorneys believe, contrary to the wishes of the SCTA union officials, that California charter school employees fall under the jurisdiction of the National Labor Relations Act.

This would allow the decertification to take place under NLRB rules. While far from perfect, they are not as rigged as the PERB’s kangaroo courts. Not only does U.S. Supreme Court precedent support

Veteran Foundation Staff Attorney Bruce Cameron has assisted countless workers in challenging union attempts to force them to pay dues despite sincerely held religious objections. He penned the following op-ed late last year emphasizing the importance of Virginia's Right to Work law.

The Virginian-Pilot

Column: Future of right-to-work law shapes Virginia's elections

October 25, 2025 | Bruce N. Cameron

As our election approaches, the status of Virginia workers' rights hangs in the balance.

Virginia voters will make a choice that could preserve — or destroy — the ability of workers to decide freely whether to join and pay dues to a union.

Since 1947, Virginia workers have enjoyed right-to-work protections, which means they have the freedom to join or support a union in their workplaces — or refrain from both.

But some commonwealth politicians have expressed that vague reforms of Virginia's right-to-work law "may be necessary" or that the law should be done away with completely. That would return Virginia to a system that lets unions force workers to pay up or be fired.

Virginians by and large don't agree with this vision. Surveys show time and time again that up to 89% of Virginians oppose requiring anyone to pay union dues just to get or keep a job.

I teach employment law at Regent University School of Law in Virginia Beach, but you don't need to be a law professor to recognize that forcing someone to fund a private organization they don't like is wrong.

But my support for right-to-work runs even deeper because, in my nearly 50 years with the Virginia-based National Right to Work Legal Defense Foundation, I've witnessed the egregious measures unions often take to compel workers.

I've defended workers nationwide from union bosses who demand dues payments despite sincere religious objections to union support. Such demands violate federal antidiscrimination law.

Dorothy Frame, a former Army hospital employee, sought my assistance in 2021 after Laborers' International Union officials at her workplace rejected her request that they accommodate her religious beliefs.

They outrageously tried to "explain" to both Dorothy — and her parish priest — why Frame's Catholic-based concerns about the union's support for pro-choice political organizations were incorrect and that the union still deserved her money.

"It crushed me, it hurt me so deeply," Frame said of her experience. "Not just for them to say that to me, but to tell my priest that."

Frame won her case in 2022, but only after litigation.

More recently, in 2023, I litigated a case for Josiah Leonatti, a teenage supermarket cashier whom United Food and Commercial Workers union officials subjected to an Orwellian "religion test" he supposedly needed to take if he wanted his religious objection to union dues payment recognized. Federal antidiscrimination law does not permit religious tests.

As these cases and many others I've taken on for Catholics, Protestants, Jews, Muslims and a Wiccan demonstrate, deciding whether to pay union dues is much more than just a cost-benefit analysis for many workers: It's an issue that concerns their most cherished beliefs.

It's been an honor to help these workers, but their struggles make one thing abundantly clear: Why should unions have the power to force workers to pay dues in the first place?

Even religious objectors must jump through hoops to seek accommodation, and many others don't even have that recourse.

The beauty of Virginia's right-to-work law is that it puts the power back in the hands of individual workers — not union bosses — to decide whether to affiliate or disaffiliate with a union.

That means that workers can join or support a union if they wish but can just as easily refrain from doing so for religious, political, financial or any other reason.

In America, we pride ourselves on protecting individuals' freedom to associate, and that freedom should apply just as much at work as it does anywhere else.

Bruce N. Cameron of Virginia Beach is the Reed Larson Professor of Labor Law at Regent University School of Law.

NY Legal Aid Lawyer Slams UAW With Charges For Religious Discrimination

Radical UAW bosses ignored valid request for religious accommodation

NEW YORK, NY – National Right to Work Foundation staff attorneys continue to bring cases against radical union officials who trample the religious freedom of the workers they claim to “represent.” In a recent case, staff attorneys are assisting Felicia Gaon, a legal aid attorney for the New York Legal Assistance Group (NYLAG), as she takes the United Auto Workers (UAW) union and her employer to task for ignoring her requests for a religious accommodation to forced-dues payment.

Gaon has filed federal charges against NYLAG, the Association of Legal Advocates and Attorneys (ALAA, a UAW affiliate union), and the UAW for religious discrimination, failure to accommodate her religion, and unlawful deductions of dues. Both the National Labor Relations Board (NLRB), which enforces private sector labor law, and the Equal Employment Opportunity Commission (EEOC), which investigates workplace discrimination, will review her charges.

In her charges, Gaon states that she is “an Orthodox Jew with strong familial and religious ties to the Nation and Land of Israel” and her faith “prevents [her] from joining or financially supporting a union that directly or indirectly supports the destruction and annihilation of the Jewish people and the Jewish state.” The ALAA union for years has promoted divisive rhetoric and positions on Israel, including a union-wide resolution backing the “Boycott, Divestment, Sanctions” movement and referring to Israel as an “apartheid state.”



The UAW's leadership and affiliates regularly welcome socialist economic ideas from extremists like Bernie Sanders, as well as caustic anti-Israel rhetoric. Workers who try to dissociate from the union often face an uphill battle.

Gaon has signed no union membership or dues-deduction-authorization documents since beginning work for NYLAG. Before she received her first paycheck, Gaon sent separate letters to NYLAG and ALAA, informing them of her religious objections to paying union dues. Only after Gaon filed her charges did ALAA and NYLAG cease the unlawful dues deductions. But neither ALAA nor NYLAG have provided Gaon with a reasonable accommodation for the future.

Charges: Anti-Israel Union Bosses Seized Dues Illegally From Jewish Lawyer

Gaon's charges lay out her case: Shortly after NYLAG hired her, she sent letters to the treasurers of both the ALAA and the UAW “explain[ing] my religious faith and how it prevented me from joining or financially supporting the Unions... My letter also placed NYLAG on notice of my need for a religious accommodation.”

However, both union bosses and NYLAG officials ignored Gaon's requests for a religious accommodation from the union's forced-dues demands. Instead, they illegally deducted full union

dues and initiation fees from her paycheck without her authorization. Though New York is a non-Right to Work state and permits union officials to enforce pay-up-or-be-fired demands, there are protections in federal law for religious objectors like Gaon.

By seizing dues illegally from her wages, both union bosses and NYLAG management “discriminated against my religious beliefs” and “failed to accommodate my religion,” Gaon's charges state. Union officials and her employer have not laid out any way in which she can be accommodated going forward.

Foundation Attorneys Enforce Federally-Mandated Religious Exemptions

“Ms. Gaon's case shows the damaging reality of forced unionism: Union bosses often push extreme and divisive political agendas knowing, especially in states with forced union dues, there is little individual workers can do about it,” commented National Right to Work Foundation President Mark Mix. “Though Foundation attorneys have successfully defended many employees and graduate students with religious objections to paying union dues, those individuals shouldn't have to obtain legal aid in the first place.

“Workers should be free to say ‘no’ to funding union bosses they oppose for any reason, religious or otherwise, which is why every American deserves the protection of a Right to Work law,” Mix added. †



Charitable Giving to Assist Brave Workers:

Make A Planned Gift to the National Right to Work Foundation Today!

Tax season is right around the corner, and your 501(c)(3) charitable National Right to Work Legal Defense Foundation is leading the way for donors to assist thousands of workers across the country who choose freedom in the workplace. Your tax-deductible gift today can make a real impact in our 2026 strategic litigation program to make significant strides in our mutual fight to combat forced unionism.

With tax season right around the corner, now is the best time to review your family's tax matters -- as well as your long-term goals in a Will or Estate plan. We hope you carefully will consider the options listed below to help minimize your tax liability while taking advantage of a tax-deductible gift in support of the Foundation.

Here are a few tips to consider that will make a difference in your tax situation:

1. Gifts of Cash (the most popular way to receive a tax deduction in 2026);
2. Gifts of long-term Appreciated Stock or other Securities (receive fair market value deduction plus the added benefit of no capital gains tax);
3. Qualified IRA Charitable Distribution (a tax-free gift to the Foundation of up to \$100,000 per year, if you are 70 ½ years or older); and
4. Place the Foundation in your Will or Estate instrument to ensure the long-term success of the Foundation and its strategic litigation program.

Your consideration of a deductible gift today to the Foundation is deeply appreciated. A gift in your Will or Estate will help leave a legacy of freedom to end forced unionism in our country.

We encourage each of you and your family to consult a tax advisor or estate attorney before making your final plans for the future. Please know that your investment in the Foundation today is making a difference, and we are humbled by your generosity!

For more information on giving options, please contact Ginny Smith, Director of Strategic Programs for the Foundation, at gms@nrtw.org or 1-800-336-3600.

Teachers Fight to Escape Power-Hungry NEA Affiliate Union

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the argument that the NLRB is the proper venue for this petition, but in recent years Foundation attorneys have successfully filed multiple decertification petitions at the NLRB for public charter school employees in other states.

Statewide Impact Possible

“St. HOPE educators serve some of Sacramento’s most underprivileged young people, and they deserve to have their voices in the workplace heard,” commented Mark Mix, National Right to Work Foundation president. “California’s legislature and administrative state are deep in the pockets of CTA teacher union bosses, who overwhelmingly seek to further their own interests and power over the rights of educators themselves.



The SCTA is an affiliate of the NEA, a politics-obsessed national union headed by the radical Becky Pringle. St. HOPE teachers are taking on this union hierarchy.

“We at the Foundation hope that Ms. Simonton and her colleagues’ effort to break free of both CTA union officials and the onerous California labor bureaucracy is

just the first step in achieving greater freedom for charter school educators across the Golden State,” commented Mix. †

Foundation-Backed Workers Seek Federal Policy Change

continued from page 1

Davis’ brief contends that the rule lets self-interested union officials unilaterally block an election, even though the NLRA explicitly orders the Board to conduct an election whenever employees submit a valid decertification petition.

Davis’ brief also maintains that the blocking charge rule violates the Administrative Procedure Act (APA) because it is arbitrary and fails to accomplish even its own stated goals. For example, the Board argues the rule is necessary to stop “coercive elections” from happening, even though the massive advantages it gives to union bosses in the election process can hardly be considered fair.

The National Right to Work Foundation has long advocated for

the NLRB to return to the Election Protection Rule, which prevented many blocking charge delay tactics before the Biden NLRB overturned it in 2024. Under the Election Protection Rule, allegations of misconduct related to a union decertification election could not block employees from exercising their right to vote, and in most cases the rule permitted the vote tally to be released before litigation over the election could occur.

Trump NLRB Can Empower Independent-Minded Workers

“The NLRB’s ‘blocking charge’ policy serves only to let union officials stop the workers they claim to ‘represent’ from making

a free choice about whether they want that union to represent them,” commented National Right to Work Foundation Vice President and Legal Director Bill Messenger. “Mr. Davis and his coworkers are just the latest victims of these bureaucratic policies that trap workers in forced union ranks.

“If President Trump’s new NLRB appointees are serious about putting American workers back in control of their own livelihoods, reversing this union boss power giveaway is an excellent place to start,” Messenger added. †



Foundation Triumphs Over Teamsters' Attempt to Trap Employees

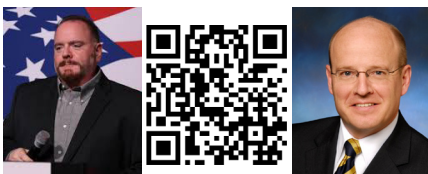
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in a workplace where workers would prefer to be independent," commented National Right to Work Foundation Vice President Patrick Semmens. "The Foundation is pleased to have been able to aid Mr. Watry and his colleagues in navigating the convoluted federal labor bureaucracy that places hardworking Americans like them at a disadvantage whenever they seek to exercise their rights."

Right to Work Must Be Expanded and Defended

"While this case worked out in Mr. Watry's favor, it's important to remember that he and his coworkers have the benefit of Right to Work and could not be forced to subsidize the same Teamsters union that was trying to trap them," Semmens added. "That is why every American deserves Right to Work protections, and even in states where Right to Work exists, it must be defended." ✚

Mark Mix Dives Into the Krause Funeral Home Workers' Victory on *The Regular Joe Show*



Scan the QR code or go to <https://www.nrtw.org/krause>



Message from Mark Mix

President
National Right to Work
Legal Defense Foundation

Dear Foundation Supporter,

Union officials across the country -- well aware that their agenda of forced dues and radical politics doesn't resonate with America's workers -- will often try to maintain their workplace powers by any means necessary.

If it weren't for your generosity, countless workers all across the country would have no way to break themselves free of unwanted unions. Nearly every day, Foundation attorneys hear from another group of employees seeking to decertify incumbent union bosses.

On page 2 of this **Foundation Action**, for example, you can read about how Teamsters union officials spent weeks trapping Milwaukee-area Krause Funeral Home workers under monopoly "representation" despite the fact the workers backed a valid petition showing the union didn't have majority support.

As soon as it was clear this case would head to a federal hearing, Teamsters bosses knew they couldn't defend their frivolous position against Foundation attorneys, and quickly folded.

Yet, too often, bureaucratic rules let union lawyers block or delay votes that union bosses know will result in sending them packing.

That's why Foundation attorneys have been bringing a string of cases challenging those barriers workers face to removing unions they oppose.

For example, North Carolina miners for The Quartz Corp. (page 1) recently petitioned the new majority at the National Labor Relations Board to overturn the Biden-era "blocking charge" policy, which lets union bosses use unverified and unproven allegations to stymie worker attempts to vote unions out. Of course, the impact of scrapping this policy would go far beyond just the miners' facility.

As you can see, defending Americans' Right to Work is a multi-front battle. But with your faithful support, I know we are up to the task.

So thank you for making this work possible.

Sincerely,