Foundation Action

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

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Flight Attendant Receives Nearly $1,000,000 Following Illegal Union-Instigated Firing

Court found TWU union and Southwest Airlines violated Charlene Carter's rights



Southwest flight attendant Charlene Carter (center) at the Fifth Circuit Court of Appeals for arguments in her case, with Foundation Legal Director William Messenger (left) and Matthew Gilliam (right), her Foundation staff attorney at the time.

DALLAS, TX – Southwest Airlines flight attendant Charlene Carter has officially been compensated for the damage inflicted by the illegal discrimination she faced at the hands of Transport Workers Union (TWU) bosses and Southwest Airlines. The damages were paid nine years after her union-instigated firing.

Following a victory at the Fifth Circuit Court of Appeals, Carter has now been paid damages totaling $946,102.87 in her federal case. This comes as due compensation after both the union and the airline violated her rights by terminating her for expressing her sincerely held religious beliefs in opposition to TWU's political activism. Carter received free legal aid from National Right to Work Foundation staff attorneys in her nearly decade-long case.

Carter's case began in 2017, when she was fired after sending private messages criticizing the TWU Local 556 president for using union dues to send union officials and others to the 2017 so-called "Women's March." She filed a lawsuit because her firing violated both the federal Railway Labor Act, which guards the right of workers in the air or rail industries to criticize union leadership, and Title VII of the Civil Rights Act, which protects against religious discrimination in the workplace.

After a federal jury trial, she was awarded a $5 million verdict, though that amount was later reduced due to statutory caps on damages. Soon after, the judge also ruled that Southwest must rehire Carter, who had been out of work for years due to the illegal termination.

That was almost four years ago, but a series of appeals dragged the case all the way to the Fifth Circuit, which affirmed a District Court's finding that both Southwest and the union had discriminated against Carter. Though Carter has finally received the damages, the case continues over the court's final orders in the case.

Carter's trial exposed exactly

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Wells Fargo Bank Employees Across America Jettison CWA 'Representation'

Employees at multiple branches remove union following headline-grabbing union organizing push

WASHINGTON, DC – Employees at multiple Wells Fargo locations across the country have successfully forced Communications Workers of America (CWA) union bosses out of their workplaces. The workers, spread across branches in Spring Hill and Bradenton, Florida, Seaside Park, New Jersey, Casper, Wyoming, and Wilmington, Delaware, initiated their union "decertification" efforts by filing petitions at the National Labor Relations Board (NLRB), with free legal aid from National Right to Work Foundation staff attorneys.

Union Bosses Flee Branches after Foundation Staff Attorneys Back Workers

In the Florida, New Jersey, and Delaware cases, CWA union bosses quickly "disclaimed interest" in representing the employees rather than face them in a secret-ballot election. In another decertification effort, Wells Fargo employees in Apex, North Carolina, overwhelmingly voted to remove CWA union officials from their branch.

"Since the union came into our branch back in 2024, we've come to see how much they overpromised and never delivered," stated Virginia Fenton, who led the decertification effort at the Spring Hill, Florida, Wells Fargo location.



Virginia Fenton and her coworkers at the Spring Hill, Florida branch were one of the first Wells Fargo locations to successfully free themselves from unwanted CWA union bosses.

In Casper, Wyoming, Foundation-assisted Wells Fargo employees filed a petition in March backed by an overwhelming number of employees, requesting that the NLRB administer a secret-ballot election to remove the CWA from their branch. But before an election could be scheduled, CWA union bosses filed "blocking charges" in an attempt to maintain their hold over the branch using the Biden-era blocking charge policy.

Fortunately, Foundation staff attorneys provided evidence that pushed back against this effort, and in May, union officials dropped these concocted blocking charges.

At that point, with the path clear for the Casper employees to hold their requested vote to remove the union, CWA officials declined to even contest the election and instead disclaimed their status as the employees' monopoly bargaining representative. The NLRB accepted the disclaimer and revoked the CWA's certification, freeing the workers.

Foundation Foils Union Attempt to Disenfranchise Wyoming Wells Fargo Bank Branch Employees

"CWA bosses grabbed headlines a few years ago by organizing a small percentage of Wells Fargo locations, but as this growing number of decertification petitions shows, bank employees are increasingly coming to the realization that CWA bosses are a detriment to their well-being," commented National Right to Work Foundation Vice President Patrick Semmens. "As the movement by Wells Fargo employees to eject the CWA spreads, the Foundation is ready to assist them in exercising their rights under federal law to hold votes to remove the unwanted union."

Foundation *Action*

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for the latest updates.

Foundation Challenges NLRB-Invented 'Contract Bar' to Removing Unwanted Unions

Georgia truck driver asks Board to stop blocking decertification votes due to union contracts

CALHOUN, GA – Brian Wilson, a truck driver for waste hauling company Republic Services, was just trying to exercise his rights under federal law. Now, he and his Foundation staff attorneys are asking the National Labor Relations Board (NLRB) to free workers across the country from an invented policy that traps workers in union ranks they oppose.

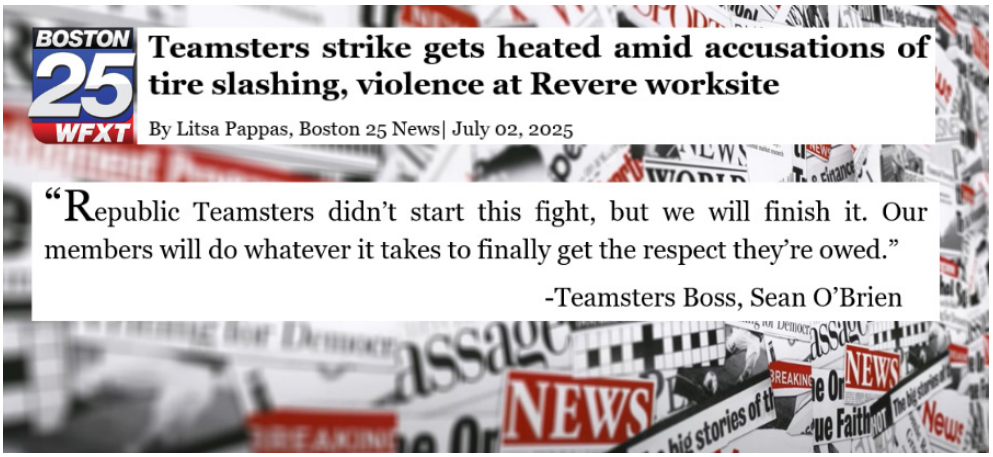
Brian had submitted a petition to the NLRB asking for it to administer a "decertification" election that would potentially remove the Teamsters union from his workplace. With a majority of his coworkers on the petition, a victory seemed likely.

But Teamsters lawyers, fearing that result, immediately blocked the vote by arguing that the so-called "contract bar" -- an NLRB-invented policy that appears nowhere in the text of federal labor law -- prevents Wilson and his colleagues from voting.

The contract bar prevents workers from exercising their right to vote out an unwanted union for up to three years when a union monopoly bargaining contract is in place.

'Contract Bar' Curtails Workers' Free Choice Rights

With assistance from National Right to Work Foundation staff attorneys, Mr. Wilson is now asking the NLRB to overturn this biased policy and allow the workers' vote to proceed. His Request for Review contends, first, that the contract bar shouldn't even apply in his workplace, as the Teamsters union contract lacks an effective date, which the law requires in order to enforce a contract bar.



Last year a violent Teamsters boss-ordered strike against Republic Services caused communities to drown in rubbish. Now Republic workers in Georgia are asking the NLRB to trash the contract bar being used to trap them in unwanted Teamster union 'representation.'

The Request for Review also attacks the contract bar head-on, pointing out that it is antithetical to federal labor law's purported goal to give workers free choice in deciding whether they want a union in their workplace or not.

It further points out that federal law says the NLRB "shall" proceed with the election without any exception for a union contract, and that, especially after the U.S. Supreme Court curtailed agencies' power to invent their own rules in the *Loper Bright* decision, such a non-statutory policy cannot be allowed to continue.

Foundation staff attorneys have assisted many groups of workers across the country in efforts to overturn the contract bar, including in cases where enforcement of the bar required the destruction of hundreds of worker ballots. If the NLRB lets the contract bar stand for Republic Services, Mr. Wilson and his coworkers will be forced to wait until 2028 to vote out the unwanted union.

"As Mr. Wilson's case and the cases of many other workers have shown, the 'contract bar' simply gives union officials an arbitrary way to stay in power over a workplace where they face overwhelming employee opposition," National Right to Work Foundation Vice President and Legal Director Bill Messenger commented. "Federal labor law is supposed to protect workers, not entrench union boss control, and Mr. Wilson's case exposes the contract bar as nothing but a government-granted privilege for incumbent union officials.

"If the Trump NLRB is serious about standing up for workers and putting them back in control of their own livelihoods, ending the contract bar, which appears nowhere in federal law, is a great place to start," Messenger added.

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

After Foundation staff attorneys secured nearly $1 million in damages (*cover story*) for flight attendant Charlene Carter, *The Washington Post* Editorial Board penned a lengthy editorial highlighting the case as a demonstration of why every American worker deserves Right to Work protections. Below is an excerpt.

The Washington Post

The Editorial Board | May 3, 2026

‘Ha! She has been supporting the thing she despises this entire time.’

A union leader gloated about using a worker’s money for activism she opposed.

With how they treated Charlene Carter, Southwest Airlines and the Transport Workers Union may as well have teamed up to demonstrate why right-to-work protections are vital for American workers. ...

Carter is a pro-life Christian. In 2017, the union’s then-president, Audrey Stone, and other union members attended the Women’s March, which was co-sponsored by Planned Parenthood. They displayed the Southwest logo as they participated.

Carter posted in a Facebook group of Southwest flight attendants that she was opposed to this activism by the union that represents her.... Southwest called Carter in for a meeting, then fired her for representing “our Company in a manner that is disparaging to Southwest Flight Attendants.” ...

Carter said she was expressing her religious beliefs and objecting to political activism that was being carried out in her name and against her will. She sued Southwest and the TWU to get her job back...

Discovery in the case unearthed how TWU officials really think about members who don’t follow their marching orders. One TWU activist advocated figurative “targeted assassinations” of members who dissented from leadership in an email that was forwarded to Stone. A different union critic was likened to a “cancer” that must be “eradicated” according to emails admitted at trial.

When Carter emailed the union’s treasurer to ask that it stop deducting donations to the union’s PAC from her paycheck, the treasurer forwarded that email to other union officials and said, “Ha! She has been supporting the thing she despises this entire time.” One union vice president replied in another email admitted at trial, “I wish I could give her a list of all the campaigns she has donated to in the last 17 years! Her head would explode.”

Adding to their contempt for Carter, the union continued to fight her in court. Finally, last week, the case came to a close when Carter received almost $950,000 in damages from Southwest and the TWU.

Carter was only able to afford this lawsuit because of pro bono representation by the National Right to Work Legal Defense Foundation. How many other Southwest flight attendants have had their money used for political activism they oppose by a union that hates their beliefs?

And how many other American workers? Right-to-work laws in 26 states guarantee that no one is forced to financially contribute to a union, and all public-sector workers are protected by a 2018 Supreme Court ruling.

But the roughly 5 million to 6 million private-sector workers represented by unions in non-right-to-work states, plus railroad and airline workers in any state, could still have their hard-earned money being spent by gloating union bosses against their will.

No worker should have to go through what Carter went through. They never would if they had the legal guarantee that any financial contribution to a union is voluntary.

Flight Attendant's Victory a Win Against Union Retaliation Tactics

continued from page 1

what union bosses thought of Carter's religious beliefs, as well as her opposition to their dictatorial control over workers. Discovery in the case revealed emails where union officials -- using the violent rhetoric that has sparked so many incidents of political violence in recent years -- criticized other dissenting members.

Case Exposed Union Activists Secretly Mocking Workers Who Opposed Union Boss Priorities

Discovery also revealed union officials mocking Carter for attempting to object to the use of her union dues for a political event and laughing at her ignorance of the numerous causes she personally opposes but had unwittingly been forced to support.

"Being a flight attendant is my livelihood and my passion, and union officials tried to manipulate company policy to upend my career simply because I spoke out about my most sincerely held beliefs," commented Carter.

"This case has been a long, hard fight, but I'll never stop sticking up for what I know is right, and I hope that both my employer and TWU union bosses have learned that it doesn't pay to stifle flight attendants' freedom of religion and speech."

Carter's case drew national attention, and should serve as an example for union bosses tempted to abuse their government-granted privileges. It also illustrates why it is so important that all workers have the right of voluntary association and to decide for themselves whether to join or pay dues to a union.

"Ms. Carter was courageous in standing up to protect her religious and personal beliefs from the schemes of radical union officials and a compliant employer," commented National Right to Work Foundation President Mark Mix.

"While she is finally receiving compensation for her struggle, no one should forget that federal law still forces workers to accept union 'representation' they oppose and, adding insult to injury, forces workers to pay unwanted unions."



Carter's case successfully challenging her unlawful firing instigated by TWU union bosses made national headlines, including multiple television appearances by National Right to Work experts.

Carter's Victory a Million-Dollar Warning Sign to Thuggish Union Bosses

"It is outrageous that, even though the court confirmed that the TWU union and Southwest violated Carter's legal rights, Carter, to this day, is still forced to subsidize TWU union bosses or else be fired by Southwest," added Mix. "We hope Carter's case will prompt a long-overdue conversation about how coercive union boss power infringes on the rights of millions of hardworking Americans."



Watch Mark break down Charlene Carter's decade-long legal battle

Scan the QR code or visit: www.nrtw.org/carter-win/



Savvy Way to Support Worker Freedom:

IRA Distributions & Gifts of Appreciated Stock

The work of National Right to Work Legal Defense Foundation staff attorneys defending workers against Big Labor coercion in hundreds of cases each year is only possible thanks to the generosity of Foundation supporters.

If you're looking for ways to support the Foundation while keeping more money out of IRS's hands, two of the best options are qualified charitable distributions (QCDs) from an Individual Retirement Account (IRA) and gifts of appreciated stock.

If you are age 70½ or older, you can make a QCD of up to $111,000 tax-free from your traditional IRA to qualified charitable organizations like the Foundation. Simply instruct your IRA custodian to transfer any amount up to $111,000 directly to the National Right to Work Legal Defense Foundation (Tax ID: 59-1588825). By doing so today, your QCD WILL NOT be included in your gross income for 2026!

Gifts of long-term appreciated stock offer a similarly powerful tax advantage, available to donors of any age. When you give shares of appreciated stock, mutual funds, or other securities that you have owned for more than one year, you can avoid paying any capital gains taxes, while at the same time, you can claim a tax deduction for the full fair market value of the asset on the date of your gift to the Foundation.

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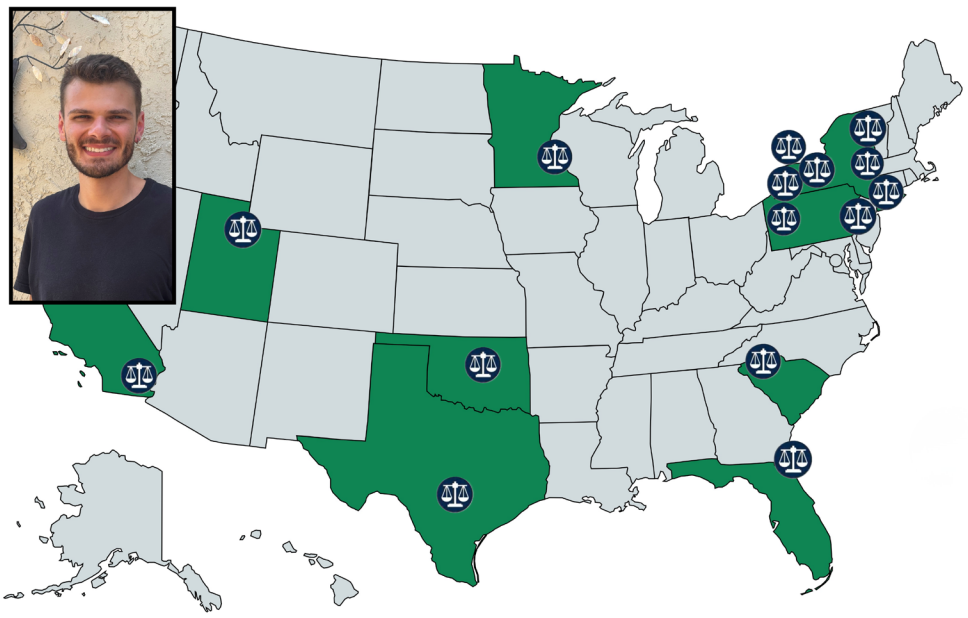
Your investment is critical to the Foundation's fight against forced unionism. As is the case with all gifts and estate planning, we encourage you to consult your tax advisor, IRA custodian, or estate attorney before making a gift. If you need further information about these or other giving options, please contact Ginny Smith at 1-800-336-3600 ext. 3303, or gms@nrtw.org.

California Starbucks Barista Petitions NLRB to End Abusive Blocking Charges

Employees across the country blocked from voting out union due to Biden-era policy

SAN DIEGO, CA – Starbucks barista Joe Emmenegger has filed a Request for Review (RFR) with the National Labor Relations Board (NLRB), requesting that the agency overturn its "blocking charge" policy and allow him and his coworkers to vote to remove Starbucks Workers United (SBWU) union bosses from their workplace.

Emmenegger and his fellow baristas and other employees at a Starbucks Coffee location in Encinitas filed a petition last year with the NLRB seeking a decertification election to end the status of the SBWU as the workers' monopoly representative. The workers' petition and Emmenegger's RFR were filed with free legal aid from National Right to Work Foundation staff attorneys.



Joe Emmenegger (top left) filed a decertification petition with his coworkers seeking to remove union bosses from their Starbucks location, joining a growing number of Foundation-assisted Starbucks employees at over a dozen stores in nine states.

Starbucks Baristas Nationwide Seek Freedom From SBWU, Challenge Biased NLRB Policy

However, before the NLRB could schedule an election, SBWU union lawyers filed blocking charges with the agency, open-endedly extending the union's grasp over the workers.

"[T]he blocking charge policy gives unions the ability to 'achieve an indefinite stalemate designed to perpetuate the union in power'…. A single charge can derail an election for months and even years," Emmenegger's NLRB filing notes.

Emmenegger and his colleagues join a growing number of Starbucks workers nationwide who have sought legal assistance from the Foundation in obtaining votes to remove SBWU union officials. Foundation staff attorneys took on a number of cases for independent-minded Starbucks workers at locations across the country in recent years, but Big Labor-friendly Biden-era NLRB bureaucrats manipulated federal labor law to keep workers trapped in SBWU ranks, even when baristas had submitted valid petitions asking for decertification votes.

Foundation attorneys in particular have witnessed large-scale abuse of blocking charges by both SBWU union officials and NLRB bureaucrats.

Current NLRB policies permit union officials to derail employee-requested decertification votes simply by filing these charges, which often consist of completely unverified or unrelated charges of employer interference.

In many cases involving Starbucks employees, NLRB officials used extremely generalized blocking charges that SBWU chiefs had filed against Starbucks management on a national level as the justification for blocking elections at particular stores, often with no hearings into what links (if any) existed between the allegations and worker dissatisfaction with the union at the specific workplace. One Foundation case for an Albany, New York-area Starbucks barista challenged the so-called "merit-dismissal" doctrine, which figured heavily into these dubious legal maneuvers.

Foundation Attorneys Defend Workers From Frivolous Union Delay Tactics

Starbucks baristas are hardly the only employees targeted by union officials with blocking charges designed to keep employees trapped in union ranks opposed by a majority of workers.

In Manalapan Township, New Jersey, employees of Reed & Perrine Lawn Products had their effort to remove the United Food and Commercial Workers (UFCW) union delayed for nearly 18 months

*See '**Biden Policy**' page 8*

Biden Policy Stalled Union Removal for 18 Months

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after union officials filed blocking charges.

With assistance from Foundation staff attorneys, Reed & Perrine employee Christine Bradach filed a decertification petition for a group of her coworkers in November 2024. In response, UFCW officials filed blocking charges, which Biden NLRB officials dutifully used to block the vote, locking the workers in union ranks they opposed for what turned out to be a year and a half.

In the face of Foundation staff attorneys pressuring the NLRB to investigate the charges and schedule the election, the UFCW bosses withdrew their blocking charges.

Foundation Legal Victories Pile Up

At that point, with nothing to stop the vote from taking place, UFCW officials "disclaimed interest" in representation rather than face an employee vote. While the workers are now free, the spurious blocking charges kept the UFCW in power for 18 months.

"As cases like these show, union bosses keep employees trapped in representation they oppose by manipulating the blocking charge policy," commented National Right to Work Foundation Vice President Patrick Semmens.

"The Foundation is committed to ensuring all workers have the ability to exercise their rights under federal labor law to remove unwanted union 'representation' without being obstructed by Big Labor-backed policies designed to trap workers in administrative mazes," added Semmens.



Message from Mark Mix

President
National Right to Work
Legal Defense Foundation

Dear Foundation Supporter,

You might have seen all the headlines from the legacy media a few years ago -- fawning over Big Labor's strong-arm organizing campaigns at Starbucks and Wells Fargo locations. Even though only a small percentage of locations were unionized, cheerleading media were quick to declare it the next big thing.

But the story didn't end there. After union activists (including secretly paid union salts) had handed workers over to monopoly union control, many of the targeted Starbucks and Wells Fargo employees saw the ugly reality of coercive unionism up close.

That is when they began to contact the Foundation for help freeing themselves from unwanted union so-called "representation."

Foundation staff attorneys assisted Starbucks employees, and later Wells Fargo employees, in filing numerous decertification petitions. These cases, and Foundation-generated publicity about them, challenged the union boss-pushed narrative that workers were clamoring for union control over their workplaces, while informing other employees of their right to remove incumbent union bigwigs.

As you'll read on page 7, Foundation staff attorneys have not stopped filing decertification cases for Starbucks baristas. Those cases, which continue to be blocked by Biden-era precedents, are now being used as vehicles to give the new Labor Board majority the opportunity to overturn rules that have disenfranchised countless workers.

Meanwhile, in quick succession, the Foundation has assisted Wells Fargo employees across the country in escaping unwanted union affiliation (see page 2). Most employees quickly had votes scheduled, prompting union bosses to concede defeat, but even when union officials attempted to block the vote from taking place, Foundation staff attorneys succeeded in having the election scheduled.

With an increasing number of decertification cases in each of the last five years in a row, this represents vital work for your Foundation to continue to pursue -- because no other national legal aid organization assists workers with winning decertification votes.

Your support ensures that the Foundation can not only assist employees seeking to vote out unwanted unions, but also work toward the day when no worker, anywhere, is forced to affiliate with a union against their will.

Sincerely,

Mark