

West Virginia AFL-CIO

American Federation of Labor – Congress of Industrial Organizations

So called – “Right to Work” is
WRONG for West Virginia!

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Rick Wilson: Legislature threatens W.Va. with race to the bottom

It's starting to feel like open season on working people at the state Capitol.

First, the Senate Government Organization committee pushed through a bill attacking West Virginia's prevailing wage law, which could reduce the number and quality of local jobs for local workers. It could also compromise worker safety while opening the door to cheap, low-quality labor from out-of-state for public projects.

If that wasn't enough, there is also likely to be a push for misnamed “right to work” legislation, which has nothing to do with the right to employment. It can more accurately be called “right-to-work-for-less.”

If enacted, it promises to speed up the shrinking of what remains of the middle class in West Virginia and adversely impact non-union as well as union workers.

Here's a brief summary of the situation: As things now stand in free labor states like West Virginia, if the majority of eligible workers in a private sector site vote to join a union in an election overseen by the National Labor Relations Board, all workers belong to the union.

Getting to that point isn't easy, as some employers intimidate workers in an effort to discourage or defeat the election.

Once in a union, all workers then have the right to representation in the event of grievances and all benefit from the wages, job safety, benefits and working conditions negotiated by the union, which can be substantial.

After a successful vote to organize, if the majority of workers no longer want to be represented by the union, they can petition for a vote to decertify the union.

(Historical note: the coal miners who worked at Massey's Upper Big Branch mine were once represented by the United Mine Workers union. Once Massey acquired the mine, it was successful in pushing through an election to decertify the union. You know how that story ended.)

The current process for union representation is no different from any other kind of election. For example, if the majority of voters elect someone to political office, that person will generally serve in that position until he or she retires or is voted out of office. Or if duly elected representatives pass a law, that law goes into effect until it is repealed by other legislation or declared unconstitutional by the courts.

Further, if a union member conscientiously objects to the use of union dues to support other purposes than direct representation, he or she has the right under the Supreme Court Beck decision to pay reduced dues that only cover those expenses.

(Over)