

PENNSYLVANIA

OPEN WORKFORCE INITIATIVE



A legislative effort to protect the individual freedoms of Pennsylvania's working citizens, our schools and our economy.

Why Pennsylvania Must End Compulsory Unionism

◉ Loss of Individual Freedom

Without a **Right to Work law**, Pennsylvania's working citizens are deprived of their individual freedom of choice to decide which private organizations they will join or support and our economy suffers.

◉ Lost Income & Increased Government Dependency

The average personal income, adjusted for taxes and cost of living in Pennsylvania, is more than **\$2,150 less** when compared to residents in America's **22 Right to Work states**.

Between 1999 and 2009, **real personal income** was **28.3 percent** in **Right to Work states** as opposed to only **14.7 percent** in **forced unionism states**, such as Pennsylvania (well below the national average of **19.5 percent**).

In 2009, the number of **welfare recipients per 1,000 residents** was **17.3** in **forced unionism states** such as Pennsylvania, compared to only **7.6** in **Right to Work states** (well below the national average of **13.5**).

◉ Lost Jobs & Exodus of Highly-Skilled Employees

As reported by the *Wall Street Journal*, citizens are voting with their feet, leaving **forced unionism states** in droves for job opportunities in neighboring **Right to Work states**.

Pennsylvania ranks **39th** out of 50 states in **overall economic competitiveness**, **third highest** on the list of **outbound job states** and has suffered a **population loss** since 2000 that has resulted in the loss of **three congressional seats** during **redistricting**.

According to U.S. Labor Department data, between 2003 and 2005, **private-sector job growth** in **forced unionism states** increased by **2.3 percent**, while **private-sector job growth** in **Right to Work states** increased by **4.9 percent** or **roughly 120 percent more**.

Nine of the **Top 10** and **17** of the **Top 20** of *Chief Executive Magazine's 2010 Best States to Do Business* have a **Right to Work law**.

House Bill 50 Freedom of Employment Act

Sponsored By Representative Daryl Metcalfe



Under this **Right to Work legislation**, employment in Pennsylvania will no longer be conditional upon membership or non-union membership, nor upon payment or non-payment of money to a labor organization.

Passage of the **Freedom of Employment Act** simply guarantees that every Pennsylvania citizen has the right to join and the corresponding right not to join or support a union to get or keep a job. It also ensures that the individual freedom of choice for all is upheld without government mandating which private organizations to support in the workplace.

Consequences of Forced Unionism in Pennsylvania

◉ **Limited Employee Rights**

Pennsylvania, without a **Right to Work law**, encourages coercive union practices in both the public and private sectors. The **Freedom of Employment Act** embraces the principle that membership or support of union activities should be a choice made by **individuals**.

Not surprisingly, in virtually **every** public opinion poll conducted in the last 20 years, no less than **70 percent** of all Pennsylvanians **favor** enactment of a **Right to Work law**. Most recently, the **2010 Keystone Business Climate Survey** revealed that **88 percent** of respondents strongly favor enactment of a **Right to Work law**.

◉ **Less Economic Growth & Reduced Quality of Life**

America's **22 Right to Work states** consistently lead the nation in all aspects of **real economic growth** and **overall quality of life** with **higher net jobs gained**, **lower taxation** and **more people with private or employment-based health insurance**.

During the past decade, the number of individuals covered by **private or employment-based health insurance** increased by **.9 percent** in **Right to Work states** and decreased by **6.9 percent** in **forced unionism states**, such as Pennsylvania.

House Bill 51 Repeal School Employee “Agency Shop” Law (Act 84) Sponsored By Representative Kathy Rapp



Under **Act 84**, Pennsylvania education employees can be required to pay compulsory union dues or “**agency shop fees**” even if they are not union members, to obtain or retain a job.

House Bill 51 would remove the language that gives a public school entity the ability to collect compulsory union dues from non-members and return the **Right to Work** protections that were present in the original bargaining law of 1970.

Consequences of Pennsylvania’s School Employee “Agency Shop” Law (Act 84)

◉ **Union Dues or the Unemployment Line**

Approximately **75 percent** of all Pennsylvania teachers and **two-thirds** of Pennsylvania school district employees (including thousands of custodians, secretaries, food service workers, teachers’ aides, bus drivers, maintenance workers, etc.) must join a union, pay union fees or face the unemployment line. Every year, **millions of dollars** in **forced union dues** are seized from public school teachers at **taxpayer expense** and sent directly to teacher union coffers.

◉ **Students and Taxpayers Held Hostage**

During the **2009-10 school year**, **Pennsylvania** once again topped the nation in **teacher strikes** with approximately **34,900 students** locked out of the classroom.

With nearly **85 percent** of **teacher strikes** occurring in those districts with **forced union dues contracts**, clearly **Act 84** has done nothing to improve labor relations in Pennsylvania’s public schools.

In fact, the privilege of forcing non-union members to support a union they disagree with only empowers union officials to prolong negotiations and force school board members into expensive arbitration proceedings--all the while holding **students** and **taxpayers hostage** to their **property tax-increasing demands**.

House Bill 52 Repeal State Employee “Agency Shop” Law (Act 84) Sponsored By Representative Tom Creighton



Under current law, state employees can be forced to pay union dues or “**agency shop fees**” even if they are not union members, to obtain or retain a job.

House Bill 53 will amend the Administrative Code of 1929 to eliminate the authority for imposing the “**fair share fee**” for Commonwealth employees and relieve certain employee organizations of specific duties and obligations.

Consequences of Pennsylvania’s State Employee “Agency Shop” Law (Act 84)

◉ **Loss of Individual Freedom & Increased Political Corruption**

Since 1988, nearly **20,000** non-union state employees have lost their individual freedom to decide whether or not to join or support a union. As a result, millions of dollars are collected annually by the state from non-union members in the form of compulsory union fees and sent directly to the **American Federation of State, County and Municipal Employees (AFSCME)** and other state employee union coffers at the expense of Pennsylvania taxpayers.

According to the Pennsylvania Department of State, **AFSCME Council 13** spent approximately **\$863,310.79** during the 2010 election cycle. Of that total, **\$813,133.29**, or **94 percent**, went to **Democrat candidates** and **Democrat political action committees**.

◉ **Unfair Bargaining Power**

Act 84 provides extra incentive for union officials to use their increased political power accumulated via increased dues and forced fees to demand state government concessions in contract negotiations.

Since June 2004, **state government employee salaries** have risen from a **median average** of **\$39,037** to **\$45,105**. By comparison, the **median average earnings** for Pennsylvania **private sector employees** stood at **\$32,239**.

As cited by **Governor Tom Corbett** during his 2011-12 state budget address, “**since the recession began, the state’s union employees have seen annual increases. The private sector, the taxpayer, has seen its average income stagnate.**”

House Bill 53 Repeal Local Employee “Agency Shop” Law (Act 15) Sponsored By Representative Jim Cox



Since **Act 15's** passage in 1993, Pennsylvania local, city, county, municipal and township employees can be required to pay compulsory union dues or “**agency shop fees**” even if they are not union members, to obtain or retain a job.

House Bill 52 would return the individual freedom of choice to all local government employees to decide for themselves which private organizations they wish to support by removing the compulsory language and preventing the collection of compulsory union dues.

Consequences of Pennsylvania's Local Employee “Agency Shop” Law (Act 15)

◉ **Union Dues or the Unemployment Line**

If local government officials agree to forced union dues contracts, employees are required as a condition of employment to join or pay a fee to the union that has the exclusive bargaining contract over their shop, regardless of whether or not they support the union.

As a result, union officials have gained the compulsory advantage of bringing in annual increases totaling hundreds of thousands of dollars that they did not earn through voluntary memberships.

◉ **Unfair Bargaining Power**

The presence of **Act 15** gives union officials a built-in incentive to organize local employees, obtain a monopoly bargaining contract and gain a forced dues contract.

According to the U.S. Bureau of Labor statistics, in 2010 the **36.2 percent unionization rate for public sector workers** was substantially higher than the **6.9 percent unionization rate for private sector employees**.

Pennsylvania Open Workforce Initiative

House Bills 50 - 53



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