

# Union Membership & RTW

**Right to Work (RTW) States** — On January 7, 2017, Kentucky Governor Matt Bevin sign a law making Kentucky a Right to Work state. States that became Right to Work states recently include West Virginia (2016), and Wisconsin (2015). Today, there are 27 states in the United States that have Right to Work laws.

In Right to Work states, workers have the right to decide whether to: 1) join the union at their work site and pay union dues; 2) not join the union and, therefore, pay no union dues. Employers are free to hire union or nonunion job seekers.

**Illegal laws** — **Closed shops** or **union shops** allow employers to hire union or nonunion job seekers, but all **new hires must** become union members and **must pay union dues** or lose their jobs. Closed shops and union shops are **illegal** in U.S. since the Taft-Hartley Act of 1947.



**Agency Fee States** — are the remaining 23 states in the United States that do not have RTW laws. Agency fee states allow employers to hire union or non-union job seekers. Then, new hires are offered 2 choices: 1) join the union, become a union member, and pay union dues, or 2) not join union but pay a reduced fee (less money) to the union. The reduced fee is called "agency fee." Workers who select to pay agency fee to the union instead of full union dues are called "agency fee payers."

Unions spend money mainly on 3 activities: **1) Collective bargaining** which is speaking for workers to employers to set pay rate, benefits, and working conditions). **2) Union contract maintenance** which is making sure employers follow the contract. **(3) Political activities** that is supporting candidates for offices such as school board, senator, or president. Agency fee payers are only pay for: 1) Collective bargaining and 2) Union contract administration. This is why the agency fee is less money than full union dues.

## **U.S. Supreme Court "Janus" Decision — New Union Law**

On June 27, 2018, the U.S. Supreme Court decided the case of Mark Janus (worker) versus AFSCME (union). Mark Janus did not want to join AFSCME union or pay agency fee while working at as a child care worker for Illinois state. U.S. Supreme Court ruled that government workers, in all 50 states, now have the right to join or not join the union, and the right to not pay agency fee. Government workers include workers who work for the 1) **federal** government; 2) **state** government; 3) **county** government; 4) **city** government. Government workers include all government jobs such as fire fighters, police officers, teachers, and social workers.



Therefore, job seekers in all 50 states — hired by **government** agencies such as school districts, city police departments, county water districts, state prisons, or federal forestry department — have the right to join the union and pay union dues — or not join the union and not pay union dues or not pay agency fee.



In 2017, about 14.8 million workers in the U.S. were members of unions. This includes wage (paid by the hour) and salary (paid by the month) workers.

Union members had average weekly earnings of \$1,041, while workers who were not union members had average weekly earnings of \$829. For workers ages 16-24, only 4.7% were members of union. Highest union membership rate was for workers 45 to 64 years old. Table shows what percent of workers were union members by state in 2017. **Note: District of Columbia is not a state — also called Washington D.C.**

**RTW States**

- Alabama
- Arizona
- Arkansas
- Florida
- Georgia
- Idaho
- Indiana
- Iowa
- Kansas
- Kentucky
- Louisiana
- Michigan
- Mississippi
- Nebraska
- Nevada
- North Carolina
- North Dakota
- Oklahoma
- South Carolina
- South Dakota
- Tennessee
- Texas
- Utah
- Virginia
- West Virginia
- Wisconsin
- Wyoming

**Union Member Percent**

- Alabama (7.4%)
- Alaska (18.1%)
- Arizona (4.0%)
- Arkansas (5.1%)
- California (15.5%)
- Colorado (9.6%)
- Connecticut (16.9%)
- Delaware (10.7%)
- District of Columbia (9.8%)
- Florida (5.6%)
- Georgia (4.0%)
- Hawaii (21.3%)
- Idaho (4.8%)
- Illinois (15.0%)
- Indiana (8.0%)
- Iowa (7.0%)
- Kansas (7.8%)
- Kentucky (9.6%)
- Louisiana (4.4%)

**Union Membership Percent**

- Maine (11.4%)
- Maryland (10.8%)
- Massachusetts (12.4%)
- Michigan (15.6%)
- Minnesota (15.2%)
- Mississippi (5.3%)
- Missouri (8.7%)
- Montana (11.9%)
- Nebraska (8.2%)
- Nevada (12.7%)
- New Hampshire (11.3%)
- New Jersey (16.2%)
- New Mexico (6.7%)
- New York (23.8%)
- North Carolina (3.4%)
- North Dakota (5.1%)
- Ohio (12.5%)
- Oklahoma (5.5%)
- Oregon (14.9%)

**Union Membership Percent**

- Pennsylvania (12.0%)
- Rhode Island (16.1%)
- South Carolina (2.6%)
- South Dakota (5.4%)
- Tennessee (5.7%)
- Texas (4.7%)
- Utah (3.9%)
- Vermont (11.0%)
- Virginia (4.6%)
- Washington (18.8%)
- West Virginia (11.0%)
- Wisconsin (8.3%)
- Wyoming (6.0%)



**QUICK CHECK:**

1. a) On what date did Kentucky become the 27th RTW state? b) List 2 other states that became Right to Work states recently.
2. List 2 rights workers have in Right to Work states.
3. a) List 2 things new hires must do in closed or union shops. b) Are closed shops legal?
4. a) List 2 choices new hires have in Agency fee states. b) What is the reduced fee called? c) What are workers called who select to pay the reduced fee rather than union dues?
5. Define the 3 activities unions do: a) Collective bargaining. b) Union contract maintenance. c) Political activities. d) For what 2 activities do agency fee payers pay?
6. a) What happened on June 27, 2018? b) What did Mark Janus not want to do? c) What did the U.S. Supreme Court rule? d) List 4 types of government workers. e) List 4 types of government jobs. f) What do job seekers hired by government agencies in all 50 states now have the right to do?
7. Define: a) wage b) salary
8. What was average weekly earnings for: a) union workers? b) nonunion workers? c) How much more per week do most union workers earn? d) How much is this per year? (52 weeks in a year)
9. What percent of union members are 16-24?
10. a) List 2 states with union membership over 20%. b) List 9 states with union membership under 5%.
11. a) What is the percent of union membership in your state? b) Is your state a RTW state?
12. Which listed in the table above is not a state?