



PROTECTING TEXANS' RIGHT TO WORK

by Texas Attorney General Greg Abbott

TEXAS HAS A PROUD TRADITION of capitalism, free enterprise, and hard work. Ours is a land of industrious colonists, determined ranchers and enterprising wildcatters. Texas workers certainly aren't afraid to work hard for a living, provide for their families, and give back to their communities.

Texas recognizes that its labor force needs to be protected. For some, that means the right to work without having to join a labor union. For others, that means the freedom to join a labor union and enjoy the benefits of union membership. Importantly, Texas protects its workers from compulsory union membership, while also providing laborers with the freedom to join a union if they so choose. In the proud western tradition, we allow the individual to make the choice that best serves their own interests.

Our workers have that freedom because six decades ago the Texas Legislature passed one of the nation's first "right-to-work" laws. As the statute states, "Workers must be protected without regard to whether they are unionized. The right to work is the right to live." Texas' right-to-work laws protect an individual's ability to get a job without being threatened, coerced, intimidated or forced to join a labor union or pay union dues. Our system ensures that workers can't have union dues taken out of their

paychecks without their consent. Texas workers are free to trade their union dues for a heftier paycheck.

Most unions and employers abide by the law. Unfortunately, at least one union thinks it can ignore our right-to-work protections by arguing that certain federally run facilities in Texas are exempt from state labor laws. In both Corpus Christi and El Paso, the International Union, Security, Police and Fire Professionals of America tried to enforce unlawful collective bargaining agreements against private security guards at two facilities operated by the Bureau of Immigration and Customs Enforcement. The Office of the Attorney General took the unions and the employers to the courthouse, where we obtained injunctions prohibiting them from forcing their employees to join a union.

Fortunately, both employers cooperated with our lawyers. In El Paso, the employee who was indefinitely suspended without pay for refusing to pay dues was reinstated and repaid his lost wages and benefits. In Corpus Christi, the improperly collected union dues were repaid. Thanks to the State's enforcement action, both employers are no longer requiring that their security officers pay union dues. Despite the employers' willingness to cooperate

with the State and comply with the law, the union has indicated that it will continue opposing our efforts to protect Texas workers.

But the State's enforcement efforts will not stop in El Paso and Corpus Christi. Workers all across Texas are afforded the same right-to-work protections. We are investigating whether similar violations are occurring in other parts of the state.

According to the U. S. Bureau of Labor Statistics, 576,000 Texans are represented by unions. These folks are either labor union members, part of an employee association that is similar to a union, or work at a job site that is covered by a union or employee association contract. And these Texans need to know they can't be forced to join a union and can't be required to pay union dues. They are protected by the law.

Texans who wish to report a possible violation of the state's right-to-work laws can file a complaint on the OAG Web page at www.oag.state.tx.us. Texans can also lodge a complaint by calling (800) 252-8011.

A healthy, vibrant Texas economy depends upon a workplace that respects free enterprise, free association, and the freedom to join--or not join--a labor union. Let's keep it that way.

POINTS TO REMEMBER



TEXAS RIGHT-TO-WORK LAWS

- Texas' right-to-work laws protect an individual's ability to get a job without being threatened, coerced, intimidated or forced to join a labor union or pay union dues.
- Workers can't have union dues taken out of their paychecks without their consent.
- "The right to work is the right to live."

To report a possible violation of the state's right-to-work laws, click the "Right to Work" button at the bottom of the OAG's Web page at www.oag.state.tx.us or call **(800) 252-8011**.



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