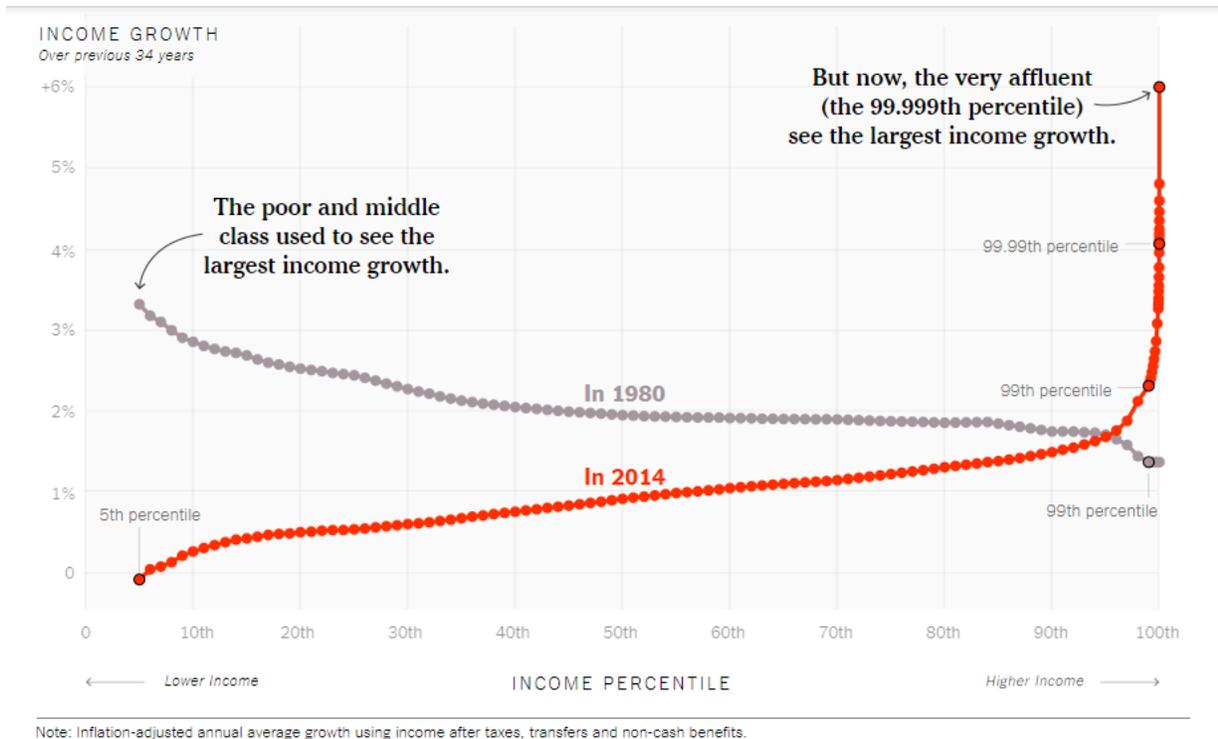


FACT V. MYTH

ON DECEPTIVE "RIGHT TO WORK" LAWS

How our Nation's richest CEOs rig the economy in their favor by misleading citizens and local governments and stick working people with the bill



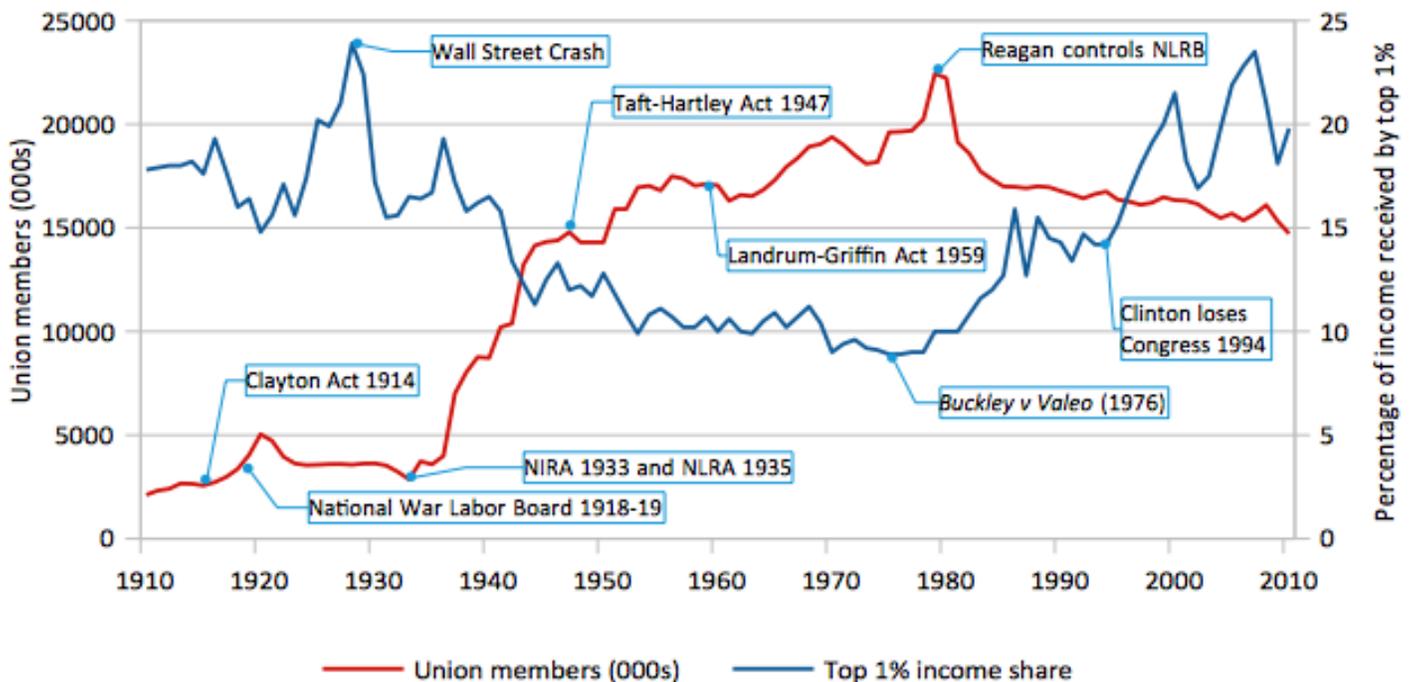
- The big corporations already spend nineteen times more on political activity than do labor unions - and this proposal would only give the corporations a bigger advantage. So-called "Right to Work" proposals would tip the scale even more toward the rich and powerful and make the playing field even more unfair for workers and middle class families.
- These proposals are similar to laws in other states that have been found unconstitutional due to unfair treatment of workers. If passed, these proposals would wind up in court, probably be overturned, and cost governments millions of dollars. New Mexico needs to invest in schools, public safety, infrastructure, and job creation - and can't afford this waste of taxpayer dollars.

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So-called "Right to Work" laws are a distraction that divide New Mexicans against each other. New Mexico's leaders should instead be focusing on the things that are important like continuing to improve the economy, creating jobs and equipping our schools with the necessary tools to prepare our children for 21st century jobs.

- Legislation like this is being promoted all over the country by a well-coordinated network of out-of-state billionaires, super PACs, and corporate special interest groups that want to keep more corporate profits for themselves.
- These are the same groups that are down-sizing, shipping jobs overseas, and hiding profits offshore to avoid paying the same taxes families and small businesses have to pay / to lower the minimum wage, opposed equal pay for equal work among men and women, and want to water down and weaken workplace safety laws.

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Q: What is a "right to work" law?

A: Despite its misleading name, this type of law does not guarantee anyone a job and it does not protect against unfair firing. These laws take away working people's freedom to negotiate for respect, fair pay and safety on the job. They tilt the balance even more toward big corporations and further rig the system at the expense of working families.

That's because right to work laws create a loophole in our labor laws that allows workers who decide not to be a part of a union to fully benefit from union representation—including higher wages, benefits, training, safety and protection from unfair discipline—without having to pay a single penny for it. Such laws weaken all workers' ability to come together in union and negotiate a fair return on their work.

Q: How would this law impact my family?

A: This law would put our families' safety at risk. It would make it harder for nurses to negotiate for safe staffing levels, and limit the ability of emergency responders, police officers and firefighters to negotiate for things to keep us all safe—like faster response times and lifesaving emergency equipment. This proposal limits the rights of our state's everyday heroes, silences the professional voices of teachers, nurses, police officers and firefighters, and makes it harder for them to protect and serve.

Q: Will a right to work law benefit workers in our state?

A: No. Union members and workers without unions all will take an economic hit. Working people in states with these types of laws have a consistently lower quality of life than in other states—lower wages, higher poverty, less access to health care and poorer education for children, according to data from the U.S. Department of Labor and the U.S. Census Bureau. Why should our state adopt a losing strategy that lowers the standard of living for working people and their families?

Lower Wages

- On average, workers in states with these laws earn \$7,443 (13.9%) a year less than workers in other states (\$45,924, compared with \$53,367).

Less Investment in Education

- States with these laws spend 32.7% less per pupil on elementary and secondary education than other states.

Higher Workplace Fatality Rates

- The rate of workplace deaths is 58% higher in states with right to work laws, according to data from the Bureau of Labor Statistics.

1. Bureau of Labor Statistics, Quarterly Census of Employment and Wages (all industries, all establishments, average annual pay), preliminary 2016 data, accessed July 14, 2017.

2. National Education Association, Ranking & Estimates – Rankings of the States 2016 and Estimates of School Statistics 2017, H-9. Current Expenditures for Public K-12 Schools Per Student in Fall Enrollment (\$), 2016, www.nea.org/assets/docs/2017_Rankings_and_Estimates_Report-FINAL-SECURED.pdf.

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Working People Standing Together in Union Improve Living Standards. Right to Work Laws Don't.

- Overall, union members earn 25.2% (\$202) more per week than nonunion workers. Hispanic union members earn 45.7% (\$278) more each week than nonunion Hispanics and African Americans earn 25.1% (\$162) more each week if they are union members.
- Some 85% of union workers participate in job-provided health insurance, compared with 53% of nonunion workers. And 74% of union workers participate in guaranteed (defined-benefit) retirement plans, compared with just 15% of nonunion workers.

Q: Specifically, why is a right to work law unfair?

A: Right now, private businesses and employees can freely negotiate to make sure everyone who benefits from a union contract pays their fair share of the costs of obtaining and protecting those benefits. But a right to work law would allow the government to interfere unfairly in the freedoms of private businesses and employees to negotiate, weakening working people's ability to stand together and fight for their freedom to prosper.

Q: Isn't a right to work law important to improving our state's economy?

A: No—we need to bolster our economy, but adopting a right to work law is the wrong answer and would take us in the wrong direction. Our elected leaders should focus on strengthening our economy and making sure it works for all state residents. We need to create more good jobs. We need to stop giving tax dollars to companies that ship work overseas. We need to close unfair corporate tax loopholes and stop employer fraud that deprives workers of rights and allows corporations to cheat on their taxes.

3. AFL-CIO, "Death on the Job: The Toll of Neglect," April 2017.

4. U.S. Department of Labor, Bureau of Labor Statistics, Union Members - 2016, "Table 2. Median weekly earnings of full-time wage and salary workers by union affiliation and selected characteristics," Jan. 26, 2017, <http://data.bls.gov/cgi-bin/print.pl/news.release/union2.t02.htm>.

5. U.S. Department of Labor, Bureau of Labor Statistics, "Table 9. Health care benefits: Access, participation, and take-up rates, civilian workers," National Compensation Survey, March 2016, www.bls.gov/ncs/ebs/benefits/2017/ownership/civilian/table09a.htm.

6. U.S. Department of Labor, Bureau of Labor Statistics, "Table 2. Retirement benefits: Access, participation and take-up rates, civilian workers," National Compensation Survey, March 2016, https://www.bls.gov/ncs/ebs/benefits/2016/ownership/civ_all.pdf.

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Q: Do we need a right to work law to attract new jobs to our state?

A: No. When Oklahoma adopted a right to work law 16 years ago, supporters claimed it would dramatically improve the state's job growth. But in fact, according to the Oklahoma Chamber of Commerce's 2011 report, the number of new companies coming into the state actually decreased by one-third since this law was enacted.

Industries locate in a state for many reasons, but right to work laws are not among them. Factors like workforce productivity, availability of skilled workers, transportation, closeness to markets and materials, quality of life and proximity to research universities are the keys to economic growth. We need to create good jobs throughout the state, but a right to work law will not persuade companies to move here.

Q: Who benefits from right to work laws?

A: No one. Some low-wage employers might think they would benefit from weak unions and low wages, but working people also are consumers. Right to work laws undermine their purchasing power. These laws weaken working people's freedom to join together and negotiate, driving down wages and benefits. As a result, workers have less to spend and the entire economy—particularly small business—suffers.

Q: Without a right to work law, can a worker be forced to join a union?

A: No. These laws are unnecessary—the U.S. Supreme Court ruled long ago that no one can be forced to join a union or to pay fees not directly related to the cost of representing them.

Q: Is a union required to represent all employees covered by a contract (nonmembers as well as members)?

A: Yes. Under federal labor law, unions have the duty to fairly represent all workers covered by a contract.

Q: If our state enacts a right to work law, who will pay the costs of representing nonmembers?

A: Union members will have to pick up the tab for workers who don't pay their fair share but still get all the benefits.

Q: Are nonmembers required to pay full union dues in states that don't have right to work laws?

A: No. Workers who receive all of the benefits but choose not to join the union are only required to pay for their fair share of the costs related to bargaining for those benefits and representing workers under their contract with the employer.

Q: Can a union unilaterally require nonmembers to pay their fair share?

A: No. The employer and the union must negotiate and agree that workers are required to pay their fair share for representation.

Q: Why would an employer agree to require workers to pay their fair share?

A: Many employers want to avoid the divisions and animosity that occur when nonmembers take advantage of the system at the expense of members who pay their fair share.