

# Bill as Introduced

HB 474-FN - AS INTRODUCED

2011 SESSION

11-0609  
06/01

HOUSE BILL

**474-FN**

AN ACT

relative to freedom of choice on whether to join a labor union.

SPONSORS:

Rep. W. Smith, Rock 18; Rep. Baldasaro, Rock 3; Rep. Seidel, Hills 20; Rep. Lauer-Rago, Merr 2; Rep. Holden, Hills 4; Rep. Brosseau, Graf 6; Rep. Summers, Hills 26; Sen. Forsythe, Dist 4

COMMITTEE:

Labor, Industrial and Rehabilitative Services

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ANALYSIS

This bill prohibits collective bargaining agreements that require employees to join a labor union.

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Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~(in brackets and struck through.)~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Eleven*

AN ACT relative to freedom of choice on whether to join a labor union.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Name of Act. It is the intent of the general court that this act be known as "The Franklin A.  
2 Partin Jr. Right to Work Act."

3 2 New Chapter; Right to Work Act. Amend RSA by inserting after chapter 273-C the following  
4 new chapter:

5 CHAPTER 273-D

6 RIGHT TO WORK ACT

7 273-D:1 Short Title. This act may be cited as the "Right to Work Act."

8 273-D:2 Declaration of Public Policy. It is hereby declared to be the public policy of this state in  
9 order to maximize individual freedom of choice in the pursuit of employment and to encourage an  
10 employment climate conducive to economic growth, that all persons shall have, and shall be  
11 protected in the exercise of, the right freely, and without fear of penalty or reprisal, to form, join, or  
12 assist labor organizations, or to refrain from any such activity.

13 273-D:3 Definitions. In this chapter:

14 I. "Employer" means any individual, corporation, association, organization, or entity that  
15 employs one or more persons. The term includes, but is not limited to, the state of New Hampshire  
16 and its agencies, every district, board, commission, instrumentality, or other unit whose governing  
17 body exercises similar governmental powers. The term "employer" includes, but is not limited to,  
18 employers of agricultural labor.

19 II. "Labor organization" means any organization of any kind, or agency or employee  
20 representation committee or plan, which exists for the purpose, in whole or in part, of dealing with  
21 employers concerning grievances, labor disputes, wages, rates of pay, hours of work, or other  
22 conditions of employment.

23 273-D:4 Freedom of Choice Guaranteed, Discrimination Prohibited. No person shall be  
24 required, as a condition of employment or continuation of employment:

25 I. To resign or refrain from voluntary membership in, voluntary affiliation with, or  
26 voluntary financial support of a labor organization;

27 II. To become or remain a member of a labor organization;

28 III. To pay any dues, fees, assessments, or other charges of any kind or amount to a labor  
29 organization;

30 IV. To pay any charity or other third party, in lieu of such payments, any amount equivalent  
31 to or a pro-rata portion of dues, fees, assessments, or other charges of a labor organization; or

1 V. To be recommended, approved, referred, or cleared by or through a labor organization.

2 273-D:5 Voluntary Deductions Protected. It shall be unlawful for any employer to deduct from the  
3 wages, earnings, or compensation of any employee any dues, fees, assessments, or other charges, to be  
4 held for, transferred to, or paid over to a labor organization, unless the employee has first presented, and  
5 the employer has received, a signed written authorization of such deductions, which authorization may  
6 be revoked by the employee at any time by giving written notice of such revocation 30 days in advance of  
7 its effective date. Every employer who receives such an authorization from an employee shall have a  
8 duty to promptly notify that employee in writing that the employee may revoke an authorization at any  
9 time by giving the employer 30 days written notice.

10 273-D:6 Agreements in Violation, and Actions to Induce Such Agreements, Declared Illegal.  
11 Any agreement, understanding or practice, written or oral, implied or expressed, between any labor  
12 organization and employer which violates the rights of employees as guaranteed by the provisions of  
13 this chapter is hereby declared to be unlawful, null and void, and of no legal effect. Any strike,  
14 picketing, boycott, or other action, by a labor organization for the sole purpose of inducing or  
15 attempting to induce an employer to enter into any agreement prohibited under this chapter is  
16 hereby declared to be for an illegal purpose and is a violation of the provisions of this chapter.

17 273-D:7 Notice to be Posted. It shall be the duty of every employer to post and keep  
18 continuously displayed the following notice at such a place or places in the business, establishment,  
19 or premises where it may be readily seen by all employees, and it shall be the further duty of every  
20 employer to furnish a copy of such notice to each employee at the time the employee is hired:

21 **EMPLOYEES FREEDOM OF CHOICE**

22 Under the law of the state of New Hampshire, employees are protected in the exercise of their  
23 free choice to join or refrain from joining labor unions, and it is unlawful for an employer and a labor  
24 union to enter into a contract or agreement requiring them to pay dues, fees, or charges of any kind  
25 to a labor union as a condition of obtaining or keeping a job. Under this law, an employer may not  
26 discharge or otherwise discriminate against an employee because of joining or refusing to join a labor  
27 union, or to pay dues, or other charges to a labor union.

28 273-D:8 Coercion and Intimidation Prohibited. It shall be unlawful for any person, labor  
29 organization, or officer, agent or member thereof, or employer, or officer thereof, by any threatened  
30 or actual intimidation of an employee or prospective employee, or the employee's parents, spouse,  
31 children, grandchildren, or any other persons residing in the employee's or prospective employee's  
32 home, or by any damage or threatened damage to property, to compel or attempt to compel such  
33 employee to join, affiliate with, or financially support a labor organization or to refrain from doing so,  
34 or otherwise forfeit any rights as guaranteed by provisions of this chapter. It shall also be unlawful  
35 to cause or attempt to cause an employee to be denied employment or discharged from employment  
36 because of support or nonsupport of a labor organization by inducing or attempting to induce any  
37 other person to refuse to work with such employees.

1       273-D:9 Penalties. Any person, employer, labor organization, agent, or representative of an  
2 employer or labor organization, who directly or indirectly imposes upon any person any requirement  
3 prohibited by this chapter shall be guilty of a misdemeanor, and, notwithstanding RSA 651:2, shall be  
4 subject for each offense to a fine not exceeding \$1,000, or to imprisonment not exceeding 90 days, or both.

5       273-D:10 Civil Remedies. Any person harmed as a result of any violation or threatened  
6 violation of the provisions of this chapter shall be entitled to injunctive relief against any and all  
7 violators or persons threatening violation, and may also recover any or all damages of any character,  
8 including costs and reasonable attorney fees, resulting from such violation or threatened violation,  
9 cognizable at common law. Such remedies shall be independent of, and in addition to, the penalties  
10 and remedies prescribed in other provisions of this chapter.

11       273-D:11 Duty to Investigate. It shall be the duty of the attorney general and of each county  
12 attorney, to investigate any complaints of violation of this chapter, and to prosecute all persons  
13 violating any of its provisions, and to use all means at their command to insure effective enforcement  
14 of the provisions of this chapter.

15       273-D:12 Existing Contracts. The provisions of this chapter shall apply to all contracts entered  
16 into on or after the effective date of this chapter and shall not apply to existing contracts, but shall  
17 apply to any renewal or extensions of such existing contracts.

18       273-D:13 Exceptions. The provisions of this chapter shall not apply:

19           I. To employers and employees covered by the federal Railway Labor Act.

20           II. To federal employers and employees.

21           III. To employers and employees on exclusive federal enclaves.

22           IV. Where they would otherwise conflict with, or be preempted by, federal law.

23       273-D:14 Severability. If any provision of this chapter or the application thereof to any person  
24 or circumstance is held invalid, the invalidity does not affect other provisions or applications of the  
25 chapter which can be given effect without the invalid provisions or applications, and to this end the  
26 provisions of this chapter are severable.

27       3 Effective Date. This act shall take effect January 1, 2012.

LBAO  
11-0609  
01/20/11

**HB 474-FN - FISCAL NOTE**

AN ACT                   relative to freedom of choice on whether to join a labor union.

**FISCAL IMPACT:**

Due to time constraints, the Office of Legislative Budget Assistant is unable to provide a fiscal note for this bill at this time. When completed, the fiscal note will be forwarded to the House Clerk's Office.

# Amendments

Amendment to HB 474-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to freedom of choice on whether to join a labor union and eliminating the  
4 duty of a public employee labor organization to represent employees who elect not  
5 to join the employee organization.  
6

7 Amend the bill by inserting after section 1 the following and renumbering the original sections 2 and  
8 3 to read as 3 and 4, respectively:

9

10 2 New Paragraph; Obligation to Bargain. Amend RSA 273-A:3 by inserting after paragraph IV  
11 the following new paragraph:

12 V. The employee organization certified by the board as the exclusive representative of the  
13 bargaining unit shall not be required to represent employees who elect not to join the employee  
14 organization. A collective bargaining agreement reached under this chapter shall apply only to public  
15 employees in the bargaining unit who are members of the employee organization.

Amendment to HB 474-FN  
- Page 2 -

2011-0218h

AMENDED ANALYSIS

This bill prohibits collective bargaining agreements that require employees to join a labor union.

This bill also provides that no public employee labor organization shall be required to represent employees who elect not to join the employee organization.



# Speakers

# SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 474-FN Date 2/3/11

Committee Labor

\*\* Please Print All Information \*\*

| Name               | Address                     | Phone           | Representing | (check one)                  |                                     |
|--------------------|-----------------------------|-----------------|--------------|------------------------------|-------------------------------------|
|                    |                             |                 |              | Pro                          | Con                                 |
| Chuck Sizemore     | 39 <sup>NEW</sup> HOSION RD | Amherst         | 603-673-7437 | PASS                         | <input checked="" type="checkbox"/> |
| Rhonda Corbett     | 3 Lyndon Ln                 | Litchfield      | 603 889 7468 |                              | <input checked="" type="checkbox"/> |
| Sylvia Gale        | 4 Chery, Nashua             |                 | 603 612 0205 |                              | <input checked="" type="checkbox"/> |
| Lorri Hayes        | 40 RUES CROSSING            | MONT VERNON NH  |              |                              | <input checked="" type="checkbox"/> |
| Donna Christman    | 24 Dakota Dr #6             | Fremont         | 603-953-5042 | 03041 NEA NH                 | <input checked="" type="checkbox"/> |
| REP Lester Bradley | 315 Thornton Green Rd       | Thornton        |              | Grafton 4                    | <input checked="" type="checkbox"/> |
| REP. JAMES SUMMERS | DISTRICT 26                 | NASHUA          |              | NASHUA                       | <input checked="" type="checkbox"/> |
| Rep Kevin Avard    | 68 Dartemus trail           |                 |              | Nashua.                      | <input checked="" type="checkbox"/> |
| Christopher Jarboe | 38 Overlook Dr.             | DURHAM NH       | 603 490 6837 |                              | <input checked="" type="checkbox"/> |
| Ken Donahue        | 30 Sweet Birch              | CHESTER NH      |              |                              | <input checked="" type="checkbox"/> |
| Harriet E. Gady    | 32 Old Centre Rd            | Deerfield       |              |                              | <input checked="" type="checkbox"/> |
| Dave Juret         | 122 N. Main,                | Concord         |              | BIA                          | <input checked="" type="checkbox"/> |
| COLMAN SMITHUR     | 571 STR RD                  | HELPSBOROUGH NH |              | CAA                          | <input checked="" type="checkbox"/> |
| Dimitri Kena       | 8001 Brackley Rd            | Spartanburg     |              | VA NATH                      | <input checked="" type="checkbox"/> |
| Ed Foley           | 161 Londonderry TPK         | Horseshoe       |              | Sheet Metal WORKERS LOCAL 17 | <input checked="" type="checkbox"/> |
| Richard Shroy      | 21A Button                  | Dove Land       |              | NH                           | <input checked="" type="checkbox"/> |
| Thomas J. Noonan   | 567 Holly Ave               | Manchester      |              | N.H.                         | <input checked="" type="checkbox"/> |
| Eugene Shaw        | 40 Franklin St              | Concord         |              | NH 224-7301                  | <input checked="" type="checkbox"/> |
| Janice Keible      | 54 Evergreen Ave            | Franklin        | 603 335 934- | NH 4985                      | <input checked="" type="checkbox"/> |
| Michael Durant     | 10 Captain Lovewell Ln      |                 |              | OSSIPPEE                     | <input checked="" type="checkbox"/> |
| Andrew Capen       | 22 Douglas Dr.              | Amherst, NH     | 03031        | 603-673-3699                 | <input checked="" type="checkbox"/> |
| Nicholas McIntyre  | 508 S Main #2               | NH,             | 03102-       | 603-545-5503                 | <input checked="" type="checkbox"/> |
| Tom Hensley        | 155 West and Ponds.         | NH              | 603 436-4910 |                              | <input checked="" type="checkbox"/> |

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To Register Opinion If Not Speaking

Bill # \_\_\_\_\_ Date \_\_\_\_\_

Committee \_\_\_\_\_

\*\* Please Print All Information \*\*

| Name                  | Address                               | Phone        | Representing | (check one) |     |
|-----------------------|---------------------------------------|--------------|--------------|-------------|-----|
|                       |                                       |              |              | Pro         | Con |
| Paul O'Connor         | Exeter NH                             | 969-1799     | AFL-CIO      |             | X   |
| Kelly Torosian        | Auburn NH                             | 2894983      | IBEW         |             | X   |
| Tommy Chiodi          | Revere MA                             |              | DC 35        |             | X   |
| Ted Greene            | Haverhill MA                          |              | DC 35        |             | X   |
| John Rafferty         | Tilton                                | 5201069      | DC-35        |             | X   |
| JASON BRADY           | NORTHFIELD                            | 9949720      | DC-35        |             | X   |
| JEFF DA COSTA         | BRENTWOOD                             |              | DC 35        |             | X   |
| NATHAN DAVEN          | WITCHFIELD                            |              | DC 35        |             | ✓   |
| RONALD TREDDICK       | BRENTWOOD                             |              | DC 35        |             | ✓   |
| Jeremy Allen          | Brentwood                             |              | DC 35        |             | ✓   |
| Brandon Castro        | Somersworth                           |              | DC 35        |             | ✓   |
| Rep. Andrew J. Manise | 3 Hills Ave, Derry, N.H. 03038        | 603-708-8857 | Rockingham   | X           |     |
| PATRICIA AHERN        | 2 Beauvoisin St Bedford               | 603-759-4284 | APWA         |             | X   |
| Garrett Pabst         | 7 Hemlock Ln Hill NH                  | 603-934-2274 |              |             | X   |
| Carlos Colina         | 28 HAIGH AVE SALEM N.H.               |              | DC #35       |             | X   |
| Marilyn A. Burns      | 81 Bullocks Crossing Grafton, NH      |              |              |             | X   |
| Lawrence Drake        | 579 Sagamore Ave. #20, Portsmouth, NH |              |              |             | X   |
| Rep. Dan Tamburrello  | Londonderry                           |              |              | X           |     |
| DAVID PELLETIER       | 69 Jewett Rd. Dumbarton NH            |              |              |             | X   |
| Jerry Conner          | 1 Lane Ave. Londonderry NH            |              |              |             | X   |
| Rep. KATH MURPHY      | Bedford Hills - 18                    |              |              | X           |     |
| Michelle Walter       | 4 Orchard St. Raymond NH              | 214-2561     | NEA-NH       |             | X   |
| Suzi Nord             | 32 Murray Hill Rd Candia, NH          |              | self         |             | X   |

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To Register Opinion If Not Speaking

Bill # HB-474 Date 2/03/11  
 Committee Labor

\*\* Please Print All Information \*\*

| Name                     | Address                         | Phone   | Representing | (check one) |     |
|--------------------------|---------------------------------|---|--------------|-------------|-----|
|                          |                                 |   |              | Pro         | Con |
| David McCloskey          | 214 Townhouse Rd NH, V.H. 03103 | 626-7692                                      |              |             | X   |
| Representative Fred Rice | 15 Heather Ln Hampton, NH 03842 |   |              | X           |     |
| Rep Charles Moore        | 143 Hedy Rd Searsville          |   |              | X           |     |
| JAMES P McDONOUGH        | 20 RUBEN RD HOORSSETT           | 6236976                                       |              |             | X   |
| Laurel Redden            | 2 Hall Ave Salem                | 8945931                                       |              |             | X   |
| Michael Matell           | 7 Gemmin St Keene               |   |              |             | X   |
| Richard Palmer           | 24 Parkersville Dr.             | 474-2134                                      |              |             | X   |
| Tom Ryan                 | 680 Central Ave Dover           | 743-1652 DEEN                                 |              |             | X   |
| Charles Sova             | 650 Tuttle Hill Road Orange     | 523-4578                                      |              | X           |     |
| Kevin WAMMAB             | 3-8 Tom Rd. Manch.              | SELF  |              |             | X   |
| William J. O'Neil        | 302 Ash St Manchester           | SELF  |              |             | X   |
| Thane Page               | 25 Old Eaton Rd Swazey N.H.     | 0346  |              |             | X   |
| Dean Michener            | Concord 228-2061                | N.H. School Boards Assn                       |              | X           |     |
| Rep Guy Cormtois         | Barnstead                       | 776898  |              | X           |     |
| Stuart Wadley            | Concord 226-2984                | NH Chapter National Assoc. of Special Workers |              |             | ✓   |
| Rep. Barbara Shaw        |                                 | 626-4681                                      | self         |             | ✓   |
| REP. BERNIE BENIN        | GRAFTON 9                       |   |              |             | X   |
| Wayne G. Acton           | 104 Bestwell St                 | 05102   | NH S.A.L.C   |             | X   |
| EVA CASTILLO             | Manchester                      |   |              |             | X   |
| Joe Fredette             | Manchester                      |   |              |             | X   |
| REP GREGORY              | Hill Northfield NH              |   |              | ✓           |     |
| Jay Ward                 | Pembroke                        | 2241918                                       |              |             | X   |
| REPRESENTATIVE MURPHY    | ROCKINGHAM 13                   |   |              | ✓           |     |



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To Register Opinion If Not Speaking

Bill # HB 474-FN Date 2/3/11

Committee Labor

\*\* Please Print All Information \*\*

| Name                 | Address                         | Phone                  | Representing            | (check one)                         |                                     |
|----------------------|---------------------------------|------------------------|-------------------------|-------------------------------------|-------------------------------------|
|                      |                                 |                        |                         | Pro                                 | Con                                 |
| George Lambert       | 3 Lyndon Lane                   | 603-706-1822           | Hills 427               | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Joe PITRE            | 76 Cochewick                    | 755-2447               | DS                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Bill MERRON          | 2394 2nd WHPK                   | 470-9535               |                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Leonard Dorete       | 25 Slade Cir                    | Campton 603-726-7729   |                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| William M. Ford      | 231 King's Highway              | Hancock (603) 525-3767 |                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| JAVIEE F. FORD       | 231 KING'S Hwy                  | HANCOCK 03449          |                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FREDOT MULDOON       | 59 Ridgewood Dr                 | ATKINSON, NH           |                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| John L. Kalk         | 65 (Main St) Concord            | NORWICH                |                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Kimberly Soucy       | 81 New Boston Rd                |                        |                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Jodey Soucy          | " " " "                         | Goffstown              |                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| ROBERTA Blalock      | 6 WINDSOR PL<br>RINDOCK NH 0328 | 274-5797<br>RTW        |                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Jean Chellis         | 12 Badger St                    | Concord NH 03304       |                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Michael Smith        | 62 Lake Shore Rd                | Salem NH 03079         | 603 275-1855<br>SMWL 17 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Reg Sprague          | 220 Esplanade Pond Road         | Merr, NH               |                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Kenneth P. Allison   | 122 MURPHY ST                   | MERRIMACK N.H.         |                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Kenneth F. Holmes    | 275 Old Province Rd.            | Newbury, NH 03255      |                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Richard Gelinus      | 123 Leonard St                  | Nashua NH 03064        |                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Kell Evinson         | 5A Conasteele                   | Londonderry 03053      |                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| KAREN GIBSON         | 2110 Candia Rd                  | Manchester 03109       |                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Colleen Dore O'Brien | 180 Woodbury St #327            | Manchester 03102       |                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| James M. McKenney    | 58 1/2 Marshall St              | Nashua NH 03060        |                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Stephen R Charanille | 62 Odeway                       | Manchester NH 03103    |                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| STEVEN W SOUTE       | 10 Popple Road                  | New Boston NH 03070    |                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |



# SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 474-FN Date 2/3/11  
 Committee Labor

\*\* Please Print All Information \*\*

| Name              | Address                       | Phone        | Representing     | (check one) |     |
|-------------------|-------------------------------|--------------|------------------|-------------|-----|
|                   |                               |              |                  | Pro         | Con |
| Lynnda Bloomberg  | 301 Elm Concord               | 753 3900     | PASS             |             | X   |
| LESTER DRAKE      | 41 OVERBUD WEARE              | 493 2267     | PASS             |             | X   |
| Jones Cardozo     | 20 Salisbury Rd               |              |                  |             | X   |
| Key Lee           | Pepperd                       |              |                  |             | X   |
| EARL F. SWEET     | SEIU LOCAL                    |              | 560              |             | X   |
| Tom Chapman       | SEIU Local                    |              | 560 / Hanover NH |             | X   |
| Mark Holden       | Assoc Bldr + Contr.           | 226 4789     |                  | X           |     |
| Dave Hunter       | 111 ELM ST. Goffstown NH      | 603 660 1513 | LU 131           |             | X   |
| Leah A Deleel     | 100 Lincoln St. Manchester    | 03103        | SELF             |             | X   |
| Raymond Blawie    | 357 Church St                 | 752-7061     | Bldg. MA         |             | X   |
| Doug Lopez        | 31 Williams Ave               | Boylston N.H | 723 9502         |             | X   |
| BRIAN SULLIVAN    | 642 OLDFARMS GRANTHAM         | 862-7935     | NEA-NH           |             |     |
| Stephen J. Arnold | 114 Colonial Drive Portsmouth | NH 03801     |                  |             | X   |
| Dennis Cagle      | Goffstown NH                  | 03045        |                  |             | X   |
| Lauren Fowler     | Manchester NH                 |              |                  |             | X   |
| DAVID SAAR        | FRANCONIA NH                  | 03580        |                  | X           |     |
| JEFFREY PADILLANO | PLAISTOW, NH                  | 03865        |                  |             | X   |
| Brady Rossman     | Manchester NH                 | 03103        |                  |             | X   |
| DAVID JOHNSON     | CAMP TON                      |              |                  | X           |     |
| ADDIE JOHNSON     | CAMP TON NH                   | 03223        |                  | X           |     |
| Kip Pamela Tucker | Rock 17                       |              |                  | 0           |     |
| Dick Banley       | Teamsters Local               |              | 633 Concord      |             | ✓   |
| George Devun      | Local 17 Sheet metal workers  |              |                  |             | ✓   |

CONCORD



# SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # \_\_\_\_\_ Date \_\_\_\_\_

Committee \_\_\_\_\_

\*\* Please Print All Information \*\*

| Name              | Address                     | Phone    | Representing        | (check one)                         |                                     |
|-------------------|-----------------------------|----------|---------------------|-------------------------------------|-------------------------------------|
|                   |                             |          |                     | Pro                                 | Con                                 |
| PAMELA KAVI       | 296 Pleasant St             | 226-0246 | myself              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Michelle McLORD   | 3 Beaconst Concord          | 7154-150 | myself              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| ED WAILE          | 61 TUBBS Hill Rd Deery      |          |                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Sharonne Labore   | 177 Bryant Rd               |          | MAN-                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Mike McNEELY      | 3 <sup>rd</sup> Pelican Cir |          | DERRY NH            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Ed Barnes         | 26 Royal Dr.                |          | Nashua              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Ray FREEMAN       | 810 EAST RIDGE Rd           |          | MERRIMACK           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Joe Bruner        | 15 Hunt St.                 |          | Hooksett N.H.       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Sarah Jane Knapp  | 650 P 25 Lowell St          |          | NH                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Alejandro Urnuta  | 9 Campbell St               |          | Newport NH          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Summer B. DeFaney | 155 West rd                 |          | Portsmouth NH SELF  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Judy Elliott      | 1 Murgate Hill Rd           |          | Concord NH 03224    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Jan MacCARONE     | 46 Old Country Village      |          | London NH 03053     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Eva Castillo      | Manchester                  |          | NH                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| KENNETH FANJOY    | 280 King Highway            |          | New Durham NH 03855 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Sen Ken Waller    | -                           |          | -                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Jim Carvalho      | UFCW Local 1445             |          | -                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Bill Legrand      | 609 1st Crown Pt Rd         |          | Stratford, NH       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Nelson Thompson   | 34 Commercial drive         |          | Brentwood NH 03533  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Robert Maxwell    | Everett Dr                  |          | Dunbarton N.H.      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Kate McGovern     | 36 Madena Dr.               |          | Penacook, NH        | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| MICHAEL SARA      | 14 SUNSET AVE               |          | CONCORD NH          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Luke Drouin       | 8 Independence Ave          |          | Kingston NH         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

# SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 474 FN Date 2/3/11

Committee Labor

\*\* Please Print All Information \*\*

| Name                  | Address               | Phone                   | Representing                                | (check one) |     |
|-----------------------|-----------------------|-------------------------|---|-------------|-----|
|                       |                       |                         |   | Pro         | Con |
| Ana K. Herrero        | 62 Concord D, Webster | 219-8534                |   |             | ✓   |
| Ben Moreno            | 34 Commercial St      | 617-785-9312            |   |             | ✓   |
| Ashleeann Taylor      | 34 Commercial         |                         |   |             | ✓   |
| Jamie Gouls           | 353 MURRAY HILL RD    |                         | HILL NH                                     |             | ✓   |
| Richard Lamare        | 22 Blueberry Hill Rd  |                         | Raymond, NH                                 |             | ✓   |
| Joe GRAWAUIER         | 176 WAREHAM ST        |                         | MANCHESTER                                  |             | ✓   |
| Jayne Contois         | 15 Eagle Ct           | Keene 504-2906          | W FLA                                       |             | X   |
| Jack Nguyen           | 18 Merrimack St       |                         | Concord                                     |             | X   |
| Rep. Kathleen Taylor  | Grafton 2             | Estherville + Franconia |   |             | ✓   |
| Kevin Melanson        | 12 Mavis Ave          |                         | Rochester NH                                |             | ✓   |
| Steven Lachance       | 97 Cushing Ave        |                         | Manchester NH 603-494-3486                  |             | ✓   |
| Rep. Donna Schlachman |                       |                         | Rock #13                                    |             | ✓   |
| Rep. Joe Duarte       |                       |                         | Rock #                                      |             | ✓   |
| Jason Faria           | 6 Rellas Rdg,         |                         | Kimston-Rock #8 603-642-4238                |             | ✓   |
| Brendan Burns         | 4 Beriang Rd          |                         | Londunov 14 NH                              |             | ✓   |
| Muriel Charland       | 68 Kappu Dr.          |                         | Windustry NH 603-239-6521                   |             | ✓   |
| Jerome Holden         | PO Box 1085           |                         | W. Lebanon Falls N.H. 603-896-5695 335 CONN |             | ✓   |
| BRAVO Asbury          |                       |                         | Durham NH 603-044                           |             | ✓   |
| Erin BIONET           |                       |                         | REP. GRAFTON 3                              |             | ✓   |
| Dennis Adams          | 25 Range Rd           |                         | Dorfield NH                                 |             | ✓   |
| BEN LEFEVRE           |                       |                         | REP SULLIAN DISTRICT 1                      |             | ✓   |
| GLENN BRACKETT        |                       |                         | NORTHWOOD                                   |             | ✓   |
| Mark Barker           | 10 Prospect St.,      |                         | Boscawen NH                                 |             | ✓   |

# SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 474 FN Date \_\_\_\_\_

Committee \_\_\_\_\_

\*\* Please Print All Information \*\*

| Name                  | Address                      | Phone                  | Representing  | (check one)                         |                                     |
|-----------------------|------------------------------|------------------------|---|-------------------------------------|-------------------------------------|
|                       |                              |                        |   | Pro                                 | Con                                 |
| Stanley Wilcox, Jr.   | 137 Baldwin St               | Lancaster 603-524-6605 | LD 131  |                                     | <input checked="" type="checkbox"/> |
| Bill Archer           | Pembroke NH                  | 225-4671               | LOCAL 131   |                                     | <input checked="" type="checkbox"/> |
| Jo Ann Keller         | 16 Melissa Dr. Pembroke      | 210-2315               | SEIU 1984   |                                     | <input checked="" type="checkbox"/> |
| Richard Loughton      | 188 Wed Hill Rd              | Durham                 | 659-2199  |                                     | <input checked="" type="checkbox"/> |
| Richard JM Loughton   | 188 Wednesday Hill rd        | Durham                 | 659-2199  |                                     | <input type="checkbox"/>            |
| Joseph Mcagher        | 804 Birch St, Manchester     | 731-6494               | SEIU 1984   |                                     | <input checked="" type="checkbox"/> |
| Mike Records          | 5 Cambridge St. Concord      |                        |   |                                     | <input checked="" type="checkbox"/> |
| Gen James Forsythe    | 51 Lakeside Dr. Strafford NH |                        | Dis 4   | <input checked="" type="checkbox"/> |                                     |
| Ellen Clement         | 91 MT. GILBOA RD             |                        | WESTMORELAND  |                                     | <input checked="" type="checkbox"/> |
| Senator Andrew Liver  | Rochester NH                 |                        |   | <input checked="" type="checkbox"/> |                                     |
| Matthew Murphy        | 12 Park Pond rd              |                        | Hampstead NH  | <input checked="" type="checkbox"/> |                                     |
| Mike Gaudswaard       | 176 Roxbury                  | Keene                  | 7220199   |                                     | <input checked="" type="checkbox"/> |
| Rep SARA GUN          | Carrington                   |                        | MORRIS  | <input checked="" type="checkbox"/> |                                     |
| Mr. Sean Ruhl         | 32 Granite Dr.               |                        | N. Hampton, NH.   |                                     | <input checked="" type="checkbox"/> |
| REP. ROBIN HEAD       | Hooksett                     |                        |   |                                     | <input checked="" type="checkbox"/> |
| DAVID PERREault       | 59 Rochesse Hill Rd          |                        | Rochester NH  |                                     | <input checked="" type="checkbox"/> |
| Janet Schaffer        | 496 New Market Rd            |                        | Warner  |                                     | <input checked="" type="checkbox"/> |
| Ann E. Smith          | 10 Pine Ave                  |                        | Hooksett NH   |                                     | <input checked="" type="checkbox"/> |
| Rep. David J Sullivan |                              |                        | Hills. Dist. 8  |                                     | <input checked="" type="checkbox"/> |
| Hon. Greg C. Chene    | 97 Cummins Hill Rd           |                        | Plymouth, NH 536-2224                                   | Private Individ                     | <input checked="" type="checkbox"/> |
| Eric C Goodwin        | 149 Park Ave                 |                        | Dover NH 207-450-4670                                   |                                     | <input checked="" type="checkbox"/> |
| Denis Ballargeon      |                              |                        | made more money joining union than non union same trade |                                     | <input checked="" type="checkbox"/> |
| Jim Lert              | 15 Kasevale St               |                        | Hooksett  |                                     | <input checked="" type="checkbox"/> |

# SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # \_\_\_\_\_ Date \_\_\_\_\_

Committee \_\_\_\_\_

\*\* Please Print All Information \*\*

| Name                | Address                                 | Phone                | Representing | (check one)                         |                                     |
|---------------------|---|----------------------|--------------|-------------------------------------|-------------------------------------|
|                     |   |                      |              | Pro                                 | Con.                                |
| Helen Schotanus     | 2800 Garwood Lane<br>Grafton, NH 03703  | 863-2293             | Self         |                                     | <input checked="" type="checkbox"/> |
| Jelawski Hill       | 12 Venice Cir<br>Concord, NH            | 2245902              | Dr. 131      |                                     | <input checked="" type="checkbox"/> |
| Carlyle W. Colley   | 11 Woodrow Ave.<br>Franklin, NH         |                      | 131          |                                     | <input checked="" type="checkbox"/> |
| CEYON MATHEW        | 256 Octavia rd<br>Canton, NH            | 7130173              | Self         |                                     | <input checked="" type="checkbox"/> |
| Kevin LaRoche       | 38 Webber Hill Rd<br>Swanzey, NH        | 6344655              | 2007 Self    |                                     | <input checked="" type="checkbox"/> |
| Rep Collette Warner | Meredith, NH                            |                      | Rep + Self   | <input checked="" type="checkbox"/> |                                     |
| Rep Robert Greenore | Meredith, N.H.                          |                      |              | <input checked="" type="checkbox"/> |                                     |
| Jack Chaisson       | Warner<br>Concord, NH                   |                      | NHCA         |                                     | <input checked="" type="checkbox"/> |
| Kaili Lambe         | 75 Hobart St.<br>NH                     | 624-6850             | NHYD / Self  |                                     | <input checked="" type="checkbox"/> |
| Lisa Wells          | 7 Sheep Rock Rd<br>Concord, NH          | 340-3066<br>826-4605 | SEA / Self   |                                     | <input checked="" type="checkbox"/> |
| Sheila Heath        | 3 Douglas Ave<br>Concord, NH            |                      | SEA / Self   |                                     | <input checked="" type="checkbox"/> |
| Michele Beasley     | PO Box 71<br>Concord, NH                |                      | SEA / Self   |                                     | <input checked="" type="checkbox"/> |
| Jim Guthrie         | State House                             |                      | Senator Self | <input checked="" type="checkbox"/> |                                     |
| Joan Jacobs         | 579 Seagrove Ave #20,<br>Portsmouth, NH | 03801                | Self         |                                     | <input checked="" type="checkbox"/> |
| Amara Feener        | 10 Rivergreen Ave,<br>Franklin, NH      |                      |              |                                     | <input checked="" type="checkbox"/> |
| Leslie Higgins      | 33 N Village Rd<br>London, NH           | 03307                |              |                                     | <input checked="" type="checkbox"/> |
| Jess Law            | 1260 Horse Corner Rd<br>Gloucester, NH  | 03058                |              |                                     | <input checked="" type="checkbox"/> |
| Kenneth Roos        | 17 N Woodville<br>Concord, NH           |                      | SEIU         |                                     | <input checked="" type="checkbox"/> |
| Marie Morgan        | 3 Stacey Ln<br>Goffstown, NH            |                      | Self         |                                     | <input checked="" type="checkbox"/> |
| Pam Lindberg        | 101 Pleasant St<br>Concord, NH          |                      | Self         |                                     | <input checked="" type="checkbox"/> |
| MARY HILLIARD       | PO Box 99<br>Georges Mills, NH          |                      | Self         |                                     | <input checked="" type="checkbox"/> |
| MO BAXLEY           | 96 WINTER ST<br>LACONIA, NH             |                      | SELF         |                                     | <input checked="" type="checkbox"/> |
| Rep Lars J. Carls   |   |                      |              | <input checked="" type="checkbox"/> |                                     |





# Hearing Minutes

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

PUBLIC HEARING ON HB 474-FN

**BILL TITLE:** relative to freedom of choice on whether to join a labor union.  
**DATE:** February 3, 2011  
**LOB ROOM:** Reps. Hall **Time Public Hearing Called to Order:** 10:30 a.m.

**Time Adjourned:**

(please circle if present)

**Committee Members:** Reps. Daniels, Infantino, Richardson, Pellegrino, Sedensky, Flanagan, Laware, Leonard, Seaworth, Simmons, S. Smith, K. Sullivan, Ward, Goley, Weed, Rice and White

**Bill Sponsors:** Rep. W. Smith, Rock 18; Rep. Baldasaro, Rock 3; Rep. Seidel, Hills 20; Rep. Lauer-Rago, Merr 2; Rep. Holden, Hills 4; Rep. Brosseau, Graf 6; Rep. Summers, Hills 26; Sen. Fosythe, Dist 4

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

**Rep. William Smith** – Supports the bill. Rep. Smith is for giving a member the right not to join a union under his or her constitutional right. Also, Rep. Smith feels that supporting this right will also bring jobs to NH. And, he has relied on the data in the 22 right to work states to support this. Wall Street Journal was also listed as being in favor of this bill.

**Rep. Alfred Baldasaro** – Supports the bill. Extortion by unions has to be stopped. Question concerned: safety of workers as why unions were formed. Answer: We now have laws like OSHA, which protect the workers.

**Rep. Jeffrey Goley** – Question: If a worker must provide his own tools for the job, should not that worker be able to make his own decision as to whether he takes the job. Answer: Yes.

**Rep. Frank Holden** – Supports the bill for the taxpayers.

**\*Rep. Carl Seidel** – Supports the bill. Rep. Seidel has supporting documentation to that effect. Right to work does create jobs and the employee under 14B has the right to make this choice without any fees being paid to the union.

**Rep. Stella Tremblay** – Supports the bill.

**Josette White** – Opposes the bill. America votes. Union rep – 4 states. 474 is bad public policy.



**Brandy Rossman** – Opposes the bill. From Local 104. Opposes the bill due to what the union does for his life and family.

**Rep. Benjamin Baroody** – Opposes the bill. Rep. Baroody is a former union member. Small employers want unions. Teachers want unions. Who are we to decide and increase cost (Hour) when employers and business agree?

**Rep. Timothy Horrigan** – Opposes the bill. This bill is an attack against labor and that is why he opposes the bill.

**Tom Ryan** – Opposes the bill. Union rep. The union is a democratic process and can't understand why the bill is here. ITL.

**Dennis Caza** – Opposes the bill. 38 years a union member urges ITL.

**John Kelb** – Supports the bill and supports workers choice and non-union. Negative states that unions are for major social change. Passing right to work will bring jobs to NH. Vote OTP.

**\*Gail Kinney** – Oppose the bill. Also, written testimony. Union member. Leave NH an open bargain state. Legislation will not increase jobs. Vote ITL.

**Rebecca Johnson** – Opposes the bill. Union member. Vote ITL.

**Diana Lacey** – Opposes the bill. State employees union president. It is a contract that they want continued.

**Roberta Blackler** – Opposes the bill. Chose not to join the union. However, likes to have the union for her and wants to pay her fair share.

**David Starr** – Supports the bill. Wants to bring more jobs to NH.

**Ken Donahue** – Opposes the bill. He feels it is an infringement of our constitutional rights and does not believe the right to work will bring jobs to NH. MFG jobs are already overseas. Need health care jobs and bio-tech, etc.

**Linda Dupere** – Supports the bill. It is unconstitutional to force a person to join a union. She feels she is capable of neg of herself. Everyone should have a constitutional right to choose (1<sup>st</sup> amendment). Amend the present law. We're in the union. Does not have to represent non-union workers.

**\*Janice Kelbie** – Opposes the bill. Represents self. Non union. Enjoys the benefits. But, do not pay. Feels they are stealing from her.

**Pamela Ean** – Supports the bill. Teacher. She is forced to pay 70% of union dues even though she does not choose to be a union member. She supports the right to work and she is also told what charity the funds must go to; another infringement on the constitutional rights.

**Jack Ngyen** – Opposes the bill. Citizen. It is against teachers, fire and police.

**\*Brian Pike** – Opposes the bill. Written testimony. Citizen. Brian is a member of the Dept. of Transportation and feels a need for collective bargaining. Brian is also pro-union and believes to disband is wrong!

**Sen. Mark Hounsell** – Opposes the bill. Do not break up lining a place the workers of the State into bondage.

**George Copadis** – Opposes the bill. Labor Commissioner. NH has the 10<sup>th</sup> largest per cap income. Right to work has never been asked of comm. 3X business owners. Question: Is our NH income high due to the fact that we have no income tax or sales tax? Answer: He does not think so. Labor Committee would like stat concerning how many State employees have chosen not to join the union and still pay dues.

**Shawn Cleary** – Opposes the bill. Union member. Used as an example union assistance to mgt in paper industry. They're for non-union people should pay a fee because they get the same representation.

**Rep. James Summers** – Supports the bill. Right to work states salaries higher. Have increased over the past ten years. The top right to work states tax info. Have increased jobs while the non right to work and pay on an average \$1,500 make. Rep. Charles Weed questions that. Loss of manufacturing in the US has led to this. Other factors are climate lead to increased employment.

**Rep. Charles Brosseau** – Supports the bill, due to the fact that a worker has a constitutional right to make a choice.

**\*Sen. Forsythe** – Supports the bill. Written testimony to present. Written testimony read to the General Court and submitted. Amend the statute for the union to represent the non-union employee. Question: Should it be amended at the federal government level? Answer: At both state and federal level.

**Steven Soule** – Opposes the bill. Union member. Steven believes that wages and benefits will be lowered and reduced. Secures jobs for veterans. He believes that if the bill passes, a number of members would withdraw from the union.

**Linda Horan** – Opposes the bill. Union member. Represents self. Union employees have more input. Security agreement look for. ITL.

**Robert Martel** – Opposed the bill. Union member for 47 years has submitted document for the record.

**\*Melissa Bermardin** – Opposes the bill. Written testimony. Submitted document for reason of job killer.

**David Murotake** – Supports the bill. Written testimony. Younger teachers are hampered by unions in a lay off security rules and sometimes less qualified teachers keep their jobs. OTP.

**\*Marie Duggan** – Opposes the bill. Written testimony. Wants to look to institutions to solve our problem of jobs.

**\*Jaime Contois** – Opposes the bill. Written testimony. Low wages. No health care. Grew up with good health care and an education because of a union. Direct connection between higher wages and benefits.

**Joe Gallagher** – Oppose the bill. ITL

**Ann E. Smith** – Oppose. She believes non-union people should pay their fair share.

Dexter Arnold – Oppose the bill. Former union VP. Non-union should pay their fair share. Reject HB 474.

Larry Drake – Opposes bill. Portsmouth urges committee to oppose.

Joan Jacobs (teacher)– Bill is not good for NH. Opposes the bill. When you work in a union setting, wages are fair.

Sandra Ziehm (teacher) – Supports the bill. Everyone should be heard. We have the freedom to be heard and should listen to both parties. Unions only bring to the contract the points of the majority. Example: tenure vs. merit.

Stephen Chavarelle, Union member-phone company – Oppose the bill. If this bill is passed, it would jeopardize his job and family.

Laura Hainey, President, AFT-NH – Oppose. If passed, will be a threat to our voices. Request ITL.

Mark MacKenzie, President NH AFL-CIO – Oppose the bill. 1. Closed shop now illegal. 2. Shops pay an agency fee. Part of law. 3. Shops not required to pay agency fee if not a member. File with NHRB. Collective bargain is an independent process.

\*Arnold Alpert, Union member – Opposed to the bill. Remuneration is part of their contract. \$19-20 hr. to afford a 2-bedroom apartment. Right to work would force down wages and benefits and affect standard of living. ITL.

Ed Naile, Union worker – Lifetime of work. Supports the bill. Would not like to have unions mandate to him. Mr. Naile has worked for a union and non-union. Presently non-union electric subcontract.

David Lang – has left. Opposed to bill.

Luke Drouin – Opposes the bill because of his father. Represents iron worker. Vote down right to work because of the life he had because of unions.

Michael Durant – Not present.

Sylvia Smith – Supports this bill. We should have freedom of choice.

Charles Bellan, Alliance for Retired Americans – Oppose the bill. Why should something that is working be done away with? If it was not for his union pension, he would have lost everything. Each and every person was not asked.

\*Judith Elliott – Opposed to bill. Written testimony submitted. Believes will lower wages. Feels non-union workers benefit from union negotiations. States there are no creditable economic factors to support the bill.

Dimitri Kesari – Supports the bill. HB 474 union officials have no accountability. Cost of living and real purchasing power should be taken into account when taken. 2800-4300 increase in right to work states. 1999-2009 20% increase in jobs. NH jobs have declined.

Eva Castillo – Oppose the bill. Urges ITL.

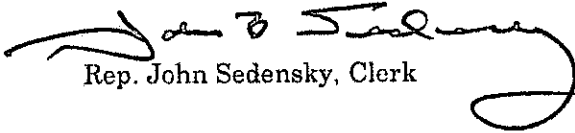
Lisa Moreau – Opposes the bill. Teacher and union rep. Her union represents all members and advises all to join the union. If they do not, they must pay an agency fee.

Rhonda Wesolowski – Opposes the bill. Reason she believes NH incomes are improved because of union members. Don't fix what is not broken.

Ed Foley, Union Member – Opposed. Do we want to hurt women and others? ITL.

Rick Trombly, Union Manager – Opposed. Bill would not advance the employee cause or management. Question: Can a unit file to be a non-exclusive unit? Answer: No.

Respectfully submitted,

  
Rep. John Sedensky, Clerk

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

PUBLIC HEARING ON HB 474-FN

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TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

Rep. Will Smith is FOR giving a MEMBER THE RIGHT NOT TO JOIN A UNION UNDER HIS OTHER CONSTITUTIONAL RIGHT. ALSO REP SMITH FEELS THAT SUPPORTING THIS RIGHT WILL ALSO BRING JOBS TO NH. AND HE WAS RELIED ON THE DATA IN THE 22 RIGHT TO WORK STATES TO SUPPORT THIS. WALL STREET JOURNAL WAS ALSO LISTED AS BEING IN FAVOR OF THIS BILL

REP. AL. BALDASARO

SUPPORTS THIS BILL. EXTORTION BY UNIONS MUST BE STOPPED OVER

QUESTION CONCERNED SAFETY OF WORKERS AS WHY UNIONS WERE FORMED. ANSW. WE NOW HAVE LAWS LIKE OSHA WHICH PROTECT THE WORKERS.

REP GOREY QUESTION IF A WORKER MUST PROVIDE HIS OWN TOOLS FOR THE JOB SHOULD NOT THAT WORKER BE ABLE TO MAKE HIS OWN DECISION AS TO WHETHER HE TAKES THE JOB  
ANS. YES.

REP FRANK BENDER SUPPORTS THE BILL FOR THE TAXPAYERS

REP FEINEL SUPPORTS THE BILL AND HAS SUPPORTING DOCUMENTATION TO THAT EFFECT RIGHT TO WORK DOES GREAT JOBS AND THE EMPLOYEE UNDER 14B HAS THE RIGHT TO MAKE THIS CHOICE WITHOUT ANY FEES BEING PAID TO THE UNION.

- 9 -  
STELLA TREMBLAY  
SUPPORTS THE BILL

JOSETTE WHITE OPPOSE THE BILL  
AMERICA VOTES. UNION<sup>REP</sup> STATES.  
474 IS BAD PUB. POLICY

BRANDY RASSMAN LOCAL 104  
OPPOSE BILL. DUE TO WHAT  
THE UNION DOES FOR HIS  
LIFE & FAMILY

REP. BEN BOWDY OPPOSE BILL.  
FORMER UNION MEMBER.  
SMALL EMPLOYERS WANT UNIONS,  
TEACHERS WANT UNIONS WHO ARE  
WE TO DECIDE & INCREASE COST (HR)  
WHEN EMPLOYERS & BUSINESS AGREE

REP TIMOTHY HERRIGAN OPPOSE THE  
BILL. THIS BILL IS AN ATTACK  
AGAINST LABOR. THAT IS WHY HE  
OPPOSES THE BILL

TIM RYAN UNION REP. THE UNION  
IS A DEMOCRATIC PROCESS CAN'T  
UNDERSTAND WHY THE BILL IS HERE.  
ITL

DENNIS CAZA OPPOSE  
38 YRS A UNION MEMBER URGES ITL

JOHN KELB SUPPORTS THE BILL  
+ SUPPORTS WORKERS CHOICE +  
NON UNION MEQ. STATES THAT UNIONS  
ARE FOR MAJOR SOCIAL CHANGE  
PASSING RIGHT TO WORK WILL BRING  
JOBS TO NH. VOTE OTR.

GAIL KUNNEY OPPOSE THE BILL  
ALSO WRITTEN TESTIMONY  
UNION MEMBER LEAVE NH AND  
OCEAN BARGE STATE. LEG WILL NOT  
INCREASE JOBS. VOTE ITL.

REBECCA JOHNSON UNION MEMBER  
OPPOSE THE BILL ITL.

DIANA LACEY OPPOSE BILL  
STATE EMPLOYEES UNION PRES.  
IT IS A CONTRACT THAT THEY WANT  
(CONTINUED)



LEADER BLACKLER OPPOSE  
CHOSE NOT TO JOIN THE  
UNION HOWEVER. LIKES TO  
HAVE THE UNION NEG. FOR HER  
& WANTS TO PAY HER FAIR SHARE

• DAVID STARR SUPPORT THE  
BILL WANTS TO BRING MORE  
JOBS TO NH

KEN DONAHUE OPPOSE INFRINGE-  
MENT OF OUR CONSTITUTIONAL RIGHTS  
DOES NOT BELIEVE RIGHT TO WORK WILL  
BRING JOBS TO NH. MFG JOBS ARE  
ALREADY OVERSEAS. NEED HEALTH CARE  
JOBS & PROTECT. ETC.

WANDA DUPERE SUPPORT. UNCONSTITUTIONAL  
TO FORCE A PERSON TO JOIN A UNION.  
SHE FEELS SHE IS CAPABLE OF NEG.  
FOR HERSELF. EVERYONE SHOULD HAVE  
A CONSTITUTIONAL RIGHT TO CHOOSE. (1ST AMENDMENT)  
AMEND PRESENT LAW. WERE IN THE  
UNION DOES NOT HAVE TO REPRESENT  
NON UNION WORKERS.

• JANICE KALDE REP. SELF OPPOSE BILL  
NON UNION ENJOY THE BENEFITS BUT  
DO NOT PAY FEELS THEY ARE STEALING  
FROM HER

JAN EAN. TEACHER.

SHE IS FORCED TO PAY 90% OF UNIONS DUES. EVEN THOUGH THEY DO NOT CHOOSE TO BE UNION MEMBER. SHE SUPPORTS THE RIGHT TO WORK AND SHE IS ALSO TOLD, WHAT CHARITY THE FUNDS MUST GO TO. ANOTHER INFRINGEMENT ON THE CONSTITUTIONAL RIGHTS

JACK WYEN. CITIZEN. OPPOSE THE BILL AS IT IS AGAINST TEACHERS, FIRE & POLICE.

BRIAN PIKE CITIZEN. OPPOSE THE BILL IS A MEMBER OF DEPT OF TRANSPORTATION FEELS A NEED FOR COLLECTIVE BARGAINING ALSO IS PROVIDED. HE BELIEVES TO DISBAND IS WRONG!

SEN MARK HOUSELL. OPPOSE THE BILL ~~DO~~ NOT BREAK UP UNIONS A PLACE THE WORKERS OF THE STATE INTO BONDAGE

GEORGE CAPATZ. LABOR-  
COMM.

OPPOSE THE BILL

NH HAS THE 10<sup>TH</sup> LARGEST PER  
CAP. INCOME.

RIGHT TO WORK HAS NEVER  
BEEN ASKED OF COMPANY  
BY BUSINESS OWNERS.

QUESTION IS WHY NH  
INCOME HIGH DUE TO THE  
FACT THAT WE HAVE NO  
INCOME TAX, OR SALES TAX. HAS  
DOES NOT THINK SO.

LABOR COMMITTEE WOULD LIKE  
STAT. CONCERNING HOW MANY  
STATE EMPLOYEES HAVE CHOSEN  
NOT TO JOIN UNION + STILL PAY DUES.

SHAWN SLEBY OPPOSES THE  
BILL UNION MEMBER. USED  
AS AN EXAMPLE UNION ASSIST-  
ANCE TO MGT. IN PAPER INDUSTRY  
THEY TAKE NO UNION PEOPLE SHOULD  
PAY A FEE BECAUSE THEY GET  
THE SAME REPRESENTATION

Pub. HEARING

RIGHT TO WORK CONTS 424 FW.  
Push. NEG. DOWN TO LOCAL LEVEL

JAMES SUMNER'S SUPPORTS THE BILL

RIGHT TO WORK STATES. SAL. HIGHER THAN  
UNIONS RIGHT TO WORK STATES. HAVE  
INCREASED OVER THE PAST FEW YEARS.  
THE TOP RIGHT TO WORK STATES TX  
IDHO. HAVE INCREASED TO 8% WHILE  
THE NON RIGHT TO WORK AND PAY ON  
AN AVERAGE \$1500 MAKE...  
REP WESD. <sup>QUESTIONS</sup> STATES THAT LOSS OF  
MFG. IN THE US. HAS LED TO THIS  
OTHER FACTORS CLIMATE LEAD TO  
INCREASED EMPLOYMENT.

REP CHARLES BROSSAU

SUPPORTS THE BILL DUE TO THE  
FACT THAT A WORKER HAS A CONSTITUTION  
RIGHT TO MAKE A CHOICE

\* SENATOR FRITZ SUPPORTS THIS  
BILL HAS WRITTEN TESTIMONY TO  
PRESENT WRITTEN TESTIMONY NEED TO  
GEN COURT & SUBMITTED AMEND THE  
STATUTE FOR THE UNION TO REP. THE  
NOW UNION EMPLOYEE QUESTION -  
SHOULD IT BE AMENDED AT THE FED  
GOV. LEVEL AND AT BOTH STATE & FEDERAL  
LEVEL.

- 9 -

DAVID KELBE CONT.

FEELS THE WHO ISSUE IS ABOUT FAIRNESS  
& WOULD LOWER OUR STANDARD  
OF LIVING ITL

STEVEN SOULE OPPOSE BILL UNION  
MEMBER.

BELIEVES THAT WAGES, AND BENEFITS  
WILL BE LOWERED & REDUCED &  
SECURES JOBS FOR VETERANS.  
HE BELIEVES THAT IF BILL PASSES.  
# of MEMBERS WOULD WITHDRAW  
FROM THE UNION.

LINDA HOBAN OPPOSE BILL  
UNION MEMBER. REF SELF WITH  
UNION ~~FOR~~ EMPLOYEES HAVE MORE  
INPUT. SECURITY AGREEMENT LOOKED  
FOR ITL 475

\* ROBERT MARTEL OPPOSED UNION MEMBER  
FOR 47 YRS. HAS SUBMITTED DOC. FOR THE  
RECORD

MELISSA BERMARDEN OPPOSE  
FOR REASON JOB KILLER SUBMITTED DOC.  
BY DAVID MAROTAKE

SUPPORTS YOUNGER TEACHERS  
ARE HAMPRED BY UNIONS IN A LOT  
OFF SENIORITY RULES & SOMETIMES LESS  
QUALIFIED TEACHERS KEEP THEIR JOBS OTP

MARIE DOGGAN OPPOSE THE  
BILL SUBMITTED D.C.  
WANTS TO LOOK TO INSTITUTIONS  
TO SOLVE OUR PROBLEM OF JOBS

~~OR~~ JAMIE COULTON OPPOSE THE BILL  
WRITEN TESTIMONY: LOW WAGES  
NO HEALTH CARE GROWN UP WITH  
GOOD HEALTH CARE AND AN EDUCATION  
BECAUSE OF A UNION  
DIRECT CONNECTION BETWEEN  
HIGHER WAGES & BENEFITS

JOE GALLAGHER OPPOSE THE BILL  
ITL

ANN E SMITH OPPOSE  
~~THE~~ BELIEVES NON UNION PEOPLE  
SHOULD PAY THEIR FAIR SHARE

DEXTER ARNOLD OPPOSE THE BILL  
FORMER UNION VP. NON UNION  
SHOULD PAY THEIR FAIR SHARE  
REJECT HB 424.

LARRY DRAKE OPPOSE BILL PORTSMOUTH  
WAGES COMMITTEE TO OPPOSE

Teacher JOAN JACOBS BILL IS NOT GOOD FOR NH  
OPPOSE THE BILL WHEN YOU WORK  
IN A UNION SETTING WAGES ARE FAIR

SANDRA ZIEHL SUPPORT THE BILL (TEACHER)

EVERYONE SHOULD BE HEARD WE HAVE THE FREEDOM TO BE HEARD AND SHOULD LISTEN TO BOTH PARTIES UNIONS ONLY. BRING TO THE CONTRACT THE POINTS OF THE MAJORITY EXAMPLE TENURE VS MERIT.

STEPHEN CHAVAREK UNION MEMBER. PROVED OPPOSE THE BILL ~~IF~~ IF THIS BILL IS PASSED. IT WOULD JEOPARDISE HIS JOB + FAMILY

LARA HANLEY PRES. AFT, NH OPPOSE IF PASSED WILL BE A THREAT TO OUR VOICES REQUEST ITL

MARK MACKENZIE PRES. NH AFL-CIO OPPOSE THE BILL

- ① CLOSED SHOP. NOW ILLEGAL
  - ② SHOPS PAY OFFEE AGENCY FEE PART OF LAW.
  - ③ SHOPS. NOT REQUIRED TO PAY ~~AGENCY~~ <sup>FEE</sup> IF NOT A MEMBER. FILE WITH NLRB.
- COLL. BARGIN IS AN INDEPENDANT PROCESS.

DANOLD ALPERT UNION MEMBER.

OPPOSED TO THE BILL

REMUNERATION IS PART OF  
THEIR CONTRACT 1980 IN

TO AFFORD A 2 BED RATE RIGHT

TOWORK WOULD FORCE DOWN

WAGES & BENEFITS & EFFECT

STANDARD OF LIVING ITL

ED. MAIL

UNION WORKER. LIFE TIME  
OF WORK. SUPPORTS THE BILL

WOULD NOT LIKE TO HAVE

UNIONS MANDATE TO HIM -

MR MAIL HAS WORKED FOR A

UNION & NOW UNION. PRESENT

NON UNION EXEC. SUBCONTRACT

DAVID LANG HAS LEFT OPPOSED TO

BILL LUKE QUEN

~~LUKE~~ DRUANT OPPOSE THE BILL BECAUSE

OF HIS FATHER REPRESENTS IRON WORKER

NOTE DOWN RIGHT TO WORK, BECAUSE

OF THE LIFE HE HAD BECAUSE

OF UNIONS

SYLVIA SMITH SUPPORT THIS BILL!

WE SHOULD HAVE FREEDOM OF CHOICE



CHARLES, BELLAN

ALLIANCE FOR RETIRED AMERICANS  
OPPOSE THE BILL WHY SHOULD  
SOME THING THAT IS WORKING  
BE DONE AWAY WITH IF IT  
WAS NOT FOR HIS UNION PENSION  
HE WOULD HAVE LOST EVERYTHING  
EACH & EVERY PERSON WAS NOT  
ASKED. ~~THE~~

\* JUDY ELLIOT OPPOSED TO BILL  
WRITTEN TESTIMONY SUBMITTED.  
BELIEVES WILL LOWER WAGES.  
FEELS AROUND UNION WORKERS -  
BENEFIT FROM UNION NEGOTIATIONS  
STATES THEIR ARE NO CREED. TABLE  
ECON. FACTORS TO SUPPORT THE BILL

DIMITRI KESARI SUPPORTS THE BILL  
HB474 UNION OFFICIALS. HAVE NO  
ACCOUNTABILITY COST OF LIVING &  
REAL PURCHASING POWER SHOULD BE  
TAKEN INTO ACCT WHEN TAKEN  
2800 - 4300 INCREASE IN RIGHT TO  
WORK STATES. 1999-2009. 20% INCREASE  
IN JOBS. NOW JOBS HAVE DECLINED

EVA CASTILLO OPPOSE TO BILL  
UNRES ITL

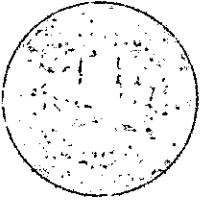
LISA MOREAN OPPOSES. THE  
BILL TEACHER. + UNION REP.  
HER UNION REPRESENTS ALL-  
MEMBERS. AND ADVISES ALL  
TO JOIN THE UNION IF THEY  
DO NOT THEY MUST PAY AN  
AGENCY FEE.

RHONDA  
RHONDA WESOLOWSKI OPPOSES THE  
BILL PERSON. SHE BELIEVES  
NH INCOMES ARE IMPROVED  
BECAUSE OF <sup>UNIONS</sup> MEMBERS. DON'T  
FIX WHAT IS NOT BROKEN.

EDFOLEY UNION MEMBER  
OPPOSED. DO WE WANT TO  
HURT WOMEN + OTHERS. ITL.

RICK TRAMBLEY OPPOSED. - UNION  
MANAGER. - BILL WOULD NOT ADVANCE  
THE EMPLOYEE CAUSE OR MGT. QUESTION OR A  
UNIT FILE TO BE A <sup>NON</sup> EXCLUSIVE UNIT ANS. NO.

# Testimony



**JOHN H. LYNCH**  
Governor

# State of New Hampshire

## OFFICE OF THE GOVERNOR

107 North Main Street, State House - Rm 208  
Concord, New Hampshire 03301  
Telephone (603) 271-2121  
[www.nh.gov/governor](http://www.nh.gov/governor)  
[governorlynch@nh.gov](mailto:governorlynch@nh.gov)

February 3, 2011

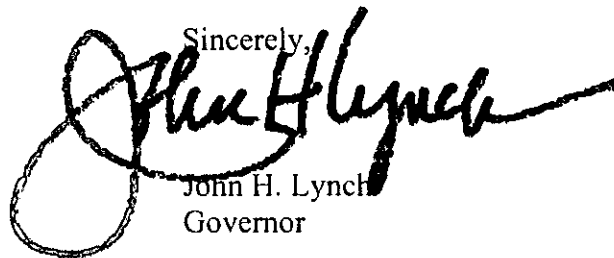
The Honorable Gary Daniels, Chairman  
Labor, Industrial and Rehabilitative Services Committee  
Room 307, Legislative Office Building  
Concord, NH 03301

Dear Chairman Daniels and Members of the Committee:

I am writing today in opposition to House Bill 474-FN relative to freedom of choice on whether to join a labor union. This bill would undercut the collective bargaining process in New Hampshire. Over the years, our State Legislature has consistently recognized the good relationship that exists between management and labor in New Hampshire by rejecting this type of legislation and allowing individual businesses and their workers to determine their own labor agreements.

I thank you, and the members of this committee, for your full consideration. Please do not hesitate to contact me if you have any questions.

Sincerely,



John H. Lynch  
Governor

Thank you Mr. Chairman and honorable members of the committee.

My name is Roberta Blackler and I work for the Department of Information Technology, imbedded at the Liquor Commission. I have worked for the state for over 39 years and belong to the same bargaining unit as the members of the State Employees Association but I am not a union member and I am here to testify in opposition to House Bill 474.

While I could have made more money in the private sector, I decided to work for the state because they provided a decent wage and good benefits.

After I was hired I was given the choice about whether to become a member of the union and pay the full dues or to not join and pay an agency fee to cover only the costs of bargaining the wages and benefits the SEA negotiates, and to enforce the provisions of the contract. I chose not to join the union for personal reasons but I again, do receive all of the benefits the SEA bargained for and if needed, I will receive representation from the union should I request it. For those reasons I feel it is only fair that I at least pay a fraction of the costs incurred by everyone to maintain and enforce the contract. How would you feel working in the same office as someone else who is shouldering the entire cost of something that benefits everyone?

I feel I must stress this important point – I was given the choice. I did not have to be a union member to get my job and I was not forced to join after I was hired. I oppose this piece of legislation for that reason. While it is my choice on whether to be a union member, I think it is wrong for the Legislature to mandate that I shouldn't at least pay my fair share.

I strongly urge you to defeat this legislation. Thank you for your time.

*And I do not wish to take any questions.*

Statement In Opposition to HB 474  
Dexter Arnold  
February 3, 2011

I live in Nashua, and I strongly oppose HB 474.

HB 474 is bad public policy that flunks a truth in advertising test. This bill is not about individual rights, which are already well protected. This bill's sole purpose is to weaken New Hampshire workers' ability to have a say over their jobs and working conditions. It is improper state interference with the collective bargaining process.

I want to talk briefly from personal and family experience. My father and grandfather were New Hampshire natives, lifelong Republicans, and local union presidents. They worked 40-plus hours a week at their jobs as a printer and machinist while also handling union responsibilities. They understood that unions are a way that workers can accomplish together what they cannot do as individuals. That's why they got together with others to organize their local unions in Nashua. They believed in personal responsibility and did not confuse individual liberty with demanding a free ride on someone else's back. They certainly would have felt that it was inappropriate for state government to make free rides state policy.

I also want to make a point based on my own experience as vice president and grievance chair in a local union that did not have a fair-share agreement.

When they have problems, individuals who are paying nothing for representation have no problem coming to the union and drawing on its resources for help. As a grievance representative, I handled and won several such cases.

One case sticks in my mind. It involved a new hire who was severely misclassified – so much so that she would have lost several thousand dollars a year and was denied eligibility for benefits. When she spoke to management about this, they dismissed her concerns, so she brought it to our attention.

We worked hard on her case and won her the proper classification. She received the pay she was supposed to get and health insurance. We were able to do so because of new contract language that we had made a bargaining priority a year before.

She benefited from our ability to negotiate and enforce a contract. That representation is what is covered by the fair-share union-security clauses that HB 474 would outlaw.

But again, we didn't have a fair-share clause. And she was quite content to remain a free-rider contributing nothing for her representation. But I bet we'd have heard from her if she had had another problem.

That's the reality of an open shop situation. That open-shop reality should not be imposed on all New Hampshire workers by a legislative mandate that interferes with negotiations between New Hampshire workers and employers. I urge you to reject HB 474.

8/29/11 N.T.

# The right to work, dues free, for all

New Hampshire has the opportunity to become the nation's 23rd "Right to Work" state and should take it.

A Right to Work law, sponsored by state Rep. Will Smith, R-New Castle, for the Granite State would end forced union dues.

Those opposed to the Right to Work law argue it allows non-union workers to benefit from contracts hammered out by unions with employers.

But this "free rider" provision is little more than a red herring.

While there are always going to be those looking to take advantage - i.e., a free ride - the problem doesn't lie with giving workers a choice. It lies with unions that are no longer able to prove their value and offer a good return on the cost of dues.

Recent attempts at the University of New Hampshire, for example, have floundered partially because the union was not able to convince UNH staff that dues represented a good value. The prime selling point was only that the union would help in the event of an employee grievance.

Union membership has been falling since the 1950s when more than a third of workers belonged to unions.

Today, the Bureau of Labor Statistics shows the unions' share of the work force at 11.9 percent.

While some of the more recent decline can be put on the back of a poor economy, which has hit union-sector jobs hard, the overall downward trend tells the real story.

While some of the more recent decline can be put on the back of a poor economy, which has hit union-sector jobs hard, the overall downward trend tells the real story.

It can be truly argued unions once served a valuable purpose, pushing for wage and hour laws, promoting safe working conditions and fighting for regulations to protect children in the work force.

But those issues have, for the most part, given way to federal and state laws. Employers are now strictly supervised by such agencies as the U.S. Department of Labor and the Occupational Safety and Health Administration.

Meanwhile, unions have rested on their laurels only to see membership dwindle. Beyond that, unions have alienated members and potential members by their

## KEY POINTS

**BACKGROUND:** A New Castle lawmaker is sponsoring a bill that would put an end to forced union dues in the state.

**CONCLUSION:** The Legislature and governor should take the proper steps to make New Hampshire a "Right to Work" state.

one-sided political support of the Democratic Party. This despite surveys showing union members well divided over party loyalties.

The general public is also repeatedly flummoxed by an intransigent union attitude toward wage negotiations or job concessions in difficult times.

Beyond union faux pas, Smith argues there is also a financial incentive to making New Hampshire a RTW state. He contends that given a choice between a RTW state and one with forced unionism, many large companies draw a bye on the Granite State.

All this points to the need for New Hampshire to become a Right to Work state and open its door to potentially greater economic development and job growth.

- Foster's Daily Democrat

**Subject:** Vote for H.B. 474 (Right to Work)  
**Date:** Wednesday, February 2, 2011 9:42 PM  
**From:** oconnor.maryann@comcast.net  
**To:** <seidel4staterep@mindspring.com>

Mary Ann O'Connor  
03063-3431  
Nashua, NH 03063-3431

February 2, 2011

The Honorable Carl W. Seidel  
New Hampshire House of Representatives  
107 North Main Street  
Concord, NH 03301

Dear Representative Seidel:

Dear Representative,

Today in New Hampshire, hundreds of thousands of workers are forced to pay union dues just to get or keep a job. As nearly 80% of our citizens agree, that's just plain wrong.

Passage of a state Right to Work law would end forced unionism in New Hampshire once and for all, and would give a boost to our state's economy.

Therefore, I urge you to vote for and support H.B. 474, the New Hampshire Right to Work Bill, at every opportunity.

Sincerely,

Mary Ann O'Connor  
603-889-1268



**Subject:** NH RTW Hearing Tomorrow -- Contact Your Rep Now  
**Date:** Wednesday, February 2, 2011 6:34 PM  
**From:** Mark Mix <mark.mix@righttoworkcommittee.org>  
**Reply-To:** mark.mix@righttoworkcommittee.org  
**To:** Carl Seidel seidel4staterep@mindspring.com  
**Conversation:** NH RTW Hearing Tomorrow -- Contact Your Rep Now



*National* \_\_\_\_\_  
**RIGHT TO WORK**  
\_\_\_\_\_  
*Committee®*

Dear Carl,

Thanks to you and other concerned citizens across the state, H.B. 474, the New Hampshire Right to Work Bill, has just been introduced.

The House Labor Committee will hear the bill tomorrow, and it's crucial every state representative hears from citizens like you today.

**Please click here to tell your state representative(s) to vote FOR the New Hampshire Right to Work Bill.**

You see, currently, tens of thousands of New Hampshire workers are forced to pay tribute to union bosses just to get or keep their jobs.

And as nearly 80% of Granite Staters agree, that's just plain wrong.

But passage of a New Hampshire Right to Work Bill would end the union bosses' ability to force workers to pay union dues or fees as a condition of employment.

Not only that, but it would also go a long way toward getting the economy moving again.

The fact is, forced unionism has put New Hampshire at an enormous disadvantage when compared to those states with Right to Work laws.

The U.S. Department of Labor's own statistics reveal that

while Right to Work states were busy gaining jobs, New Hampshire was missing out.

PHH Fantus, the nation's longtime leading business relocation firm, explained why New Hampshire has had a difficult time attracting new jobs.

They reported at least half of all businesses won't even consider non-Right to Work states like New Hampshire when relocating.

In fact, over the past decade, private sector job growth was six times greater in Right to Work states than in New Hampshire.

And those jobs New Hampshire has been missing out on are good, high-paying jobs.

Dr. Barry Poulson -- a past president of the North American Economics and Finance Association -- found that families in Right to Work states have nearly \$4,300 more purchasing power than families in non-Right to Work states.

So no matter how you look at it -- whether from a moral or economic standpoint -- a Right to Work law would be good for New Hampshire.

And, during these tough economic times, shouldn't your elected officials do everything possible to create new jobs?

**If you think so, please click this link to email your Representative(s) IMMEDIATELY.**

The good news is, just putting the General Court on record on the New Hampshire Right to Work Bill puts you and me in a win/win situation.

If state legislators ignore the nearly 80% of citizens who oppose forced unionism, Big Labor's allies in Concord will pay the price at the ballot box -- putting us closer to passing Right to Work later on.

But, this fight isn't going to be easy.

With tens of millions of dollars in forced union dues at stake for Big Labor, you can be sure the union bosses will

do everything they can to coerce and intimidate legislators into maintaining the forced-unionism status quo.

Only a groundswell of grassroots support for Right to Work can stop the union bosses. Here's what you can do to help:

1) Click here to ask your Representative(s) to vote FOR the NH Right to Work Bill;

2) Ask friends, relatives and business associates to contact their Representatives as well;

And if you can, please chip in \$25, \$10, \$100 -- or whatever you can afford -- to help pass the New Hampshire Right to Work Bill.

I know times are tough for many people, but unlike Big Labor, every cent of the National Right to Work Committee's budget comes from voluntary contributions.

But most importantly, please contact your Representative(s) today!

Sincerely,



Mark Mix

P.S. With H.B. 474, the New Hampshire Right to Work Bill, just introduced, now is the time to turn up the heat on the General Court to end forced unionism, and the first step is the House Labor Committee!

That's why it's vital you click this link to email your state Representative(s) IMMEDIATELY.

And if you can, please chip in \$10, \$25, \$100 -- or whatever you can afford -- to help pass a Right to Work law in New Hampshire.

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*The National Right to Work Committee is a nonprofit, nonpartisan, single-purpose citizens' organization dedicated to combating compulsory unionism through an aggressive program designed to mobilize public opposition to compulsory unionism and, at the same time, enlist public support for Right*

to Work legislation. The Committee's mailing address is 8001 Braddock Road, Springfield, Virginia 22160. The Committee can be contacted toll-free at 1-800-325-7892. Its web address is <http://nrtwc.org/>

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To help the National Right to Work Committee grow, please forward this to a friend.

To view as a web page, please click this link: [view online](#).

This message was intended for: [seidel4staterep@mindspring.com](mailto:seidel4staterep@mindspring.com)  
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# National Right to Work Committee

A COALITION OF EMPLOYEES AND EMPLOYERS

MARK MIX, *President*

February 1, 2011

The Hon. Carl W Seidel  
4 Thresher Rd  
Nashua, NH 03063-2822

RE: **House Bill 474**

POSITION: **Support**

Dear Representative Seidel:

On behalf of the thousands of members and supporters of the National Right to Work Committee in New Hampshire, and the nearly 80% of New Hampshire citizens who oppose forced unionism, I urge you to support House Bill 474.

Simply put, H.B. 474 would make it illegal to force workers to join a union or pay union dues or fees as a condition of employment.

Of course, every worker would still have the right to join or support a labor union, only now it would be his or her decision to make.

The constitutional guarantee of freedom of association and the principles of ordinary decency are violated whenever any worker is forced to join or pay dues or fees to a private organization in order to earn a living.

Yet every day, thousands labor under the requirement that they pay union dues -- or be fired.

This is unconscionable.

Indeed, even Samuel Gompers, the founding President of the American Federation of Labor, argued against forced unionism noting that, "No lasting gain has ever come from compulsion."

But a Right to Work law wouldn't just protect the freedom of individual workers. All citizens would win in the improved economic climate a Right to Work law would foster in New Hampshire.

Studies have repeatedly shown that Right to Work states have

Washington D.C. Headquarters: 8001 Braddock Road • Springfield, Virginia 22160 • Tel. (703) 321-9820 or (800) 325-7892

*"Americans must have the right but not be compelled to join labor unions"*

a huge advantage in creating jobs and expanding their economies.

According to PHH Fantus, the nation's leading business relocation firm, half of all companies that are seeking to relocate or expand automatically rule out forced-unionism states.

In fact, in the past decade, non-agricultural employment in Right to Work states grew twice as fast compared to that in non-Right to Work states like New Hampshire.

Individual citizens of New Hampshire would also benefit from passage of H.B. 474.

A recent study by Dr. Barry Poulson, a past president of the North American Economics and Finance Association and also a professor of economics at the University of Colorado, compared household incomes in 133 metropolitan areas in Right to Work states with those of 158 metropolitan areas in non-Right to Work states.

Among other results, he found that the average real income for households in Right to Work state metro areas, when all else was equal, was \$4,258 more than in non-Right to Work state metro areas.

The conclusion is clear: The economic benefits of a Right to Work law are too strong to be ignored.

Although the case for Right to Work legislation in New Hampshire is compelling from any legitimate perspective -- moral, political or economic -- union officials who want to keep coercing union dues from unwilling workers will say or do anything to keep the forced-dues money rolling into their coffers.

However, by fighting against Right to Work, union officials are telling you the only way they can stay in business -- and they are a big business -- is by forcing their members to pay dues.

Right to Work supporters know that when workers see a union truly representing them, they won't need to be compelled to pay tribute -- they will gladly join.

For these reasons, the individual freedom and job-creating power of a Right to Work law are supported by an overwhelming majority of New Hampshire's citizens.

No American should be required to join a labor union just to

keep a job, and no New Hampshire worker should be compelled to pay dues to an organization he or she does not believe in.

In the interests of the rights of the working men and women of New Hampshire, of sound public policy and of basic fairness, I urge you to support House Bill 474 at every opportunity.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mark Mix".

Mark Mix  
President

# UFCW

a VOICE for working America

# LOCAL 1445

President  
Richard Charette

Secretary-Treasurer  
Jeffrey Bollen

February 3, 2011

Committee Members,

My name is James Carvalho, and I am the Assistant Political Director for the United Food and Commercial Workers Local 1445. Local 1445 represents nearly one thousand hard working men and women in the Stop & Shop supermarkets across New Hampshire. I am here today to testify in opposition to House Bill 474 on behalf of Local 1445 and our members.

The so called "Right to Work" bill would be bad for New Hampshire and it's hard working men and women. Moving forward the state should focus on creating more good paying jobs that raise the standards of our communities, and not anti-worker bills such as House Bill 474. Right to Work legislation weakens workers' ability to collectively bargain and lowers the bar for all employees in the state whether members of union or not.

It is the hope of UFCW Local 1445 that the members of this committee oppose House Bill 474, and will instead support legislation that truly seeks to improve the lives of all working men and women in the state of New Hampshire. Thank you.

James Carvalho  
UFCW Local 1445  
800.439.1445 ext 115



Good Morning. My name is Linda Horan and I live in Alstead. I am here to urge you to vote against House Bill 474 – the so-called Right to Work Bill.

I work with mentally disabled adults ages 21 to the elderly. It is, as you might imagine, challenging work. For years, I worked for the phone company – so you can also imagine that I was up for the challenge. I like the work and my co-workers are amazing people, mostly women, who assist people with disabilities – often both mental and physical that cannot get through their day without some help. Some of our clients are violent at times. It really takes a special kind of person to do this work and I have immense respect for the dedication of my co-workers who have done this for years.

A year or so ago, we decided to organize a union. There were a lot of reasons for this – our schedules are crazy, our work is physically and emotionally demanding, our pay –well, it's a social service, so the pay is low. But I think we also decided that we wanted a voice at work as a way to advocate for our clients too. Our safety and the safety of the folks we work with is important to us – as is the well being of our clients. With a union we hope to have more input into issues surrounding quality of care – so staffing levels, client load, staff safety, staff training – all things that help the direct care providers AND improve the quality of the care that our clients receive.

It was not easy for us to win. We had to overcome a lot of push back from the management of our company. They tried to shame us into believing that our struggle for a voice at work would somehow harm the folks that we work with every day. Nothing could be further from the truth and in the end the majority of us chose to have an organization that represents us on the job.

I want to be very clear with you – this is OUR organization – we elected a president (that's me!) and everyone had input into what we want in our first contract. We elected a negotiating team and when we get a final agreement, we will get to vote on whether that agreement is what we want. I don't know if we will win a Union Security Agreement in this first contract – do I want one? You bet – I want everyone who is going to be covered by this contract to have some role in the new organization that we are building. AND I think it is a notion of basic fairness – if our organization, chosen by a majority, is going to negotiate better working conditions then everyone should pay their fair share of the costs.

But whether there is a Union Security Agreement is first up to the bargaining teams – our elected team and the management team – they'll decide and weigh it against all of the other bargaining needs of my co-workers. And then, my co-workers and I will get to vote on it and like in any democracy the majority will determine the outcome.

I may not get everything I want in this first contract – in fact I can virtually guarantee that none of us (including management) will get everything we want – that is the nature of negotiations. Quite frankly, I do not want YOU involved in our negotiations – we'll figure it out, thank you. We'll decide, we'll vote on it and we'll live with what we vote on. We may decide that everyone will share in the costs of our bargaining and contract maintenance, we may not – we may not even get the chance because our negotiations may play out in such a way that we don't get a union security agreement – but it is OUR choice – both management and us get to choose. And once it is decided at the bargaining table there is the next step – which would be a democratic vote of the folks who will be affected. I believe that is how it should be – you should NOT interfere with our negotiations. What will politicians decide to “protect” us from next – better wages? Workplace safety?

I do know however that we have already won better conditions for ourselves and I hope for our clients. We see people every day and we know that the quality of their care is based largely on the quality and dedication of the providers of that care. If working conditions for us are difficult the end result is that it makes providing good care that much more difficult.

Will our union solve all of our problems? I'd be a fool to think that. But it does provide a path to a better job for direct care providers and I believe in the long run better quality care for our clients. If we are able to negotiate lower staff ratios, better schedules and quite frankly better pay I think we make our agency a better place --for our clients and their families and for ourselves.

I do not want a Right To Work law in NH. I want you to leave it up to us to decide how we will manage our democratically controlled organization. Please vote House Bill 474 inexpedient to legislate.  
Thank you.

## Testimony in Opposition to Right to Work

February 3, 2011

**Marie Duggan, Ph.D., Associate Professor of Economics, Chair of Economics Department,  
Keene State College, Keene NH 03435-3400 (603)358-2628**

My name is Marie Duggan, I have a PhD in Economics from the New School for Social Research, which I obtained in 2000. I have taught economics at Keene State College for ten years. During that time, I gave birth to two children at Cheshire Medical Center in Keene, which definitely makes New Hampshire feel like home. I am interested in how Keene has managed to retain a vibrant export manufacturing sector, despite the general difficulties US manufacturers face, and I often work with my students on studies of local industrial history, from 1850 up to the present time.<sup>1</sup> I also talk to local business people through College functions, the Chamber of Commerce, and asking my students to interview their parents about unemployment over their lifetimes.

### **1. Problems with RTW**

I am here to express my opposition to right to work laws, and I'll begin with an anecdote. A few years ago a colleague of mine adopted a child. Since she adopted rather than giving birth, she did not take maternity leave, and as a result of the intense physical workload of caring for an infant, she became terribly ill. I suggested that she go to our union and ask for help getting maternity leave, which clearly she needed. She hemmed and hawed, and then she said to me: I cannot go to the union, because I did not pay the dues. She in her heart felt that she had shirked her responsibilities. She knew that many of us were paying \$50 per month. She felt that she should be doing so herself, since when the union

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<sup>1</sup> Marie Duggan, *Study of Cheshire County's Economic Structure, 1850-1880*. Keene State College, Dept. of Economics, Keene, New Hampshire, August 23, 2004.

negotiated a raise, we all got the raise. The union dues were optional. So she didn't pay them. The union itself was happy to lobby on her behalf, as the union represents every teacher at the college. But when you pay into something, you feel that you own it, and she didn't feel that she owned it. "Right to work" would more aptly be entitled "right to shirk." The point is that giving people the right to shirk doesn't just undermine unions, it undermines working people's ability to ask the unions for help.

Now, we are told that weakening unions in NH (which is what this legislation is intended to do), will bring more jobs to the state. First of all, we are talking about a state which has 5.5% unemployment, compared to 9.4% for the US as a whole (Dec. 2010, seasonally adjusted). When we talk about attracting jobs by lowering costs, we are talking about taking jobs from some other state to bring them to our state, rather than creating new jobs from whole cloth, as the saying goes. Given that so many states have unemployment higher than 5.5%, this seems a beggar thy neighbor approach. For example, Massachusetts has an unemployment rate of 8.2% (seasonally adjusted, December 2010, Bureau of Labor Statistics). Whatever NH is doing already is working better than what is being pursued in many other states. For example, Alabama, Arizona, and Arkansas are right to work states, and their unemployment rates these days are 9.1%, 9.4%, and 7.9% respectively (see Table 1 for unemployment rates in right to work states compared to New Hampshire). In terms of jobs growth, the average New England state saw a 50% increase in jobs between 1977 and 2008, while New Hampshire experienced a 100% increase in jobs in the same period of time, from 418,000 to 843,000.<sup>2</sup>

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<sup>2</sup> U.S. Bureau of Economic Analysis, source: <http://www.bea.gov/regional/spi/drill.cfm>.

**Table 1. Unemployment Right to Work States vs. NH, Dec. 2010 (Seasonally Adjusted)**

|  |              |
|--|--------------|
| <b>New Hampshire</b>                         | <b>5.5%</b>  |
| <b>Right to Work States (alphabetically)</b> |              |
| <b>Alabama</b>                               | <b>9.1%</b>  |
| <b>Arkansas</b>                              | <b>7.9%</b>  |
| <b>Arizona</b>                               | <b>9.4%</b>  |
| <b>Florida</b>                               | <b>12%</b>   |
| <b>Georgia</b>                               | <b>10.2%</b> |
| <b>Idaho</b>                                 | <b>9.5%</b>  |
| <b>Iowa</b>                                  | <b>6.3%</b>  |
| <b>Kansas</b>                                | <b>6.8%</b>  |
| <b>Louisiana</b>                             | <b>8%</b>    |
| <b>Mississippi</b>                           | <b>10.1%</b> |
| <b>Nebraska</b>                              | <b>4.4%</b>  |
| <b>Nevada</b>                                | <b>14.5%</b> |
| <b>North Carolina</b>                        | <b>9.8%</b>  |
| <b>North Dakota</b>                          | <b>3.8%</b>  |
| <b>South Carolina</b>                        | <b>10.7%</b> |
| <b>South Dakota</b>                          | <b>4.6%</b>  |
| <b>Oklahoma</b>                              | <b>6.8%</b>  |
| <b>Tennessee</b>                             | <b>9.4%</b>  |
| <b>Texas</b>                                 | <b>8.3%</b>  |
| <b>Utah</b>                                  | <b>7.5%</b>  |
| <b>Virginia</b>                              | <b>6.7%</b>  |
| <b>Wyoming</b>                               | <b>6.4%</b>  |

Source: Bureau of Labor Statistics

Attracting firms by reducing the power of unions so that wages will fall is just a road that has not worked out for communities in the US. I watched real wages fall between 1973 and 1993. I entered the workforce in 1981, and like everybody of my generation, I was relieved when wages for working people started to rise in the early 2000s, but I suspect that that tiny little rise (a 10% increase compared to 1973) has now been erased with the current recession.<sup>3</sup> The slow erosion of benefits and job security is what I witnessed for the past three decades. This hasn't made America great. It's created inequality, with one group of people living in trailer parks hidden behind pine trees, and another group of people in homes larger than anyone really needs. Only 12% of the US workforce is unionized today,<sup>4</sup> and many of those unions are filled with teachers and public servants, like me.

In the first place, our manufacturing base in NH has not been eroded by unionization, and undermining unions would have very little effect in bringing it back. In the second place, what working people need is more job security and wages high enough to take care of their children. Low wages put people in a terrible bind, and under pressures that lead to all kinds of social problems, from drinking and crime, to neglect of children and elderly, and poor health. Adding lack of job security to the mix just increases the anxiety that weighs heavily already on working people, and further erodes our ability to trust our neighbors. Does living with anxiety make a person work harder? That kind of desperation can get a person to pull an all-nighter, but over the long haul it just drains the energy out of communities.

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<sup>3</sup> Jared Bernstein and Lawrence Mishel, *Economy's Gains Fail to Reach Most Workers' Paychecks*. Economic Policy Institute Briefing Paper #195, September 3, 2007.

<sup>4</sup> US Bureau of Labor Statistics, News Release, USDL-11-0063, Jan. 21, 2011

## 2. Creating Jobs

Like you, I would like to see more jobs, not just in NH but in the US as a whole. We all know people who are unemployed right now. Many of my students have parents in the construction industry who are hard hit. Others are in sales, and have cycled from job to job over the past two years looking for elusive stability. What does create jobs?

### 2.1. Quality of Life

A couple of years ago, Keene was lucky enough to attract C&S Wholesale grocers to locate their headquarters in our community. My understanding of why that company chose Keene was that quality of life issues attracted them. Our town has fine public schools. We have a low crime rate. We have a vibrant downtown. We meet our United Way campaign pledge. In Keene, merchants help each other out; if a restaurant runs out of ingredients, they can run down the street and borrow something from a different restaurant.<sup>5</sup> That sense of community holds us together, and it's what attracted a company to locate its headquarters in Keene.

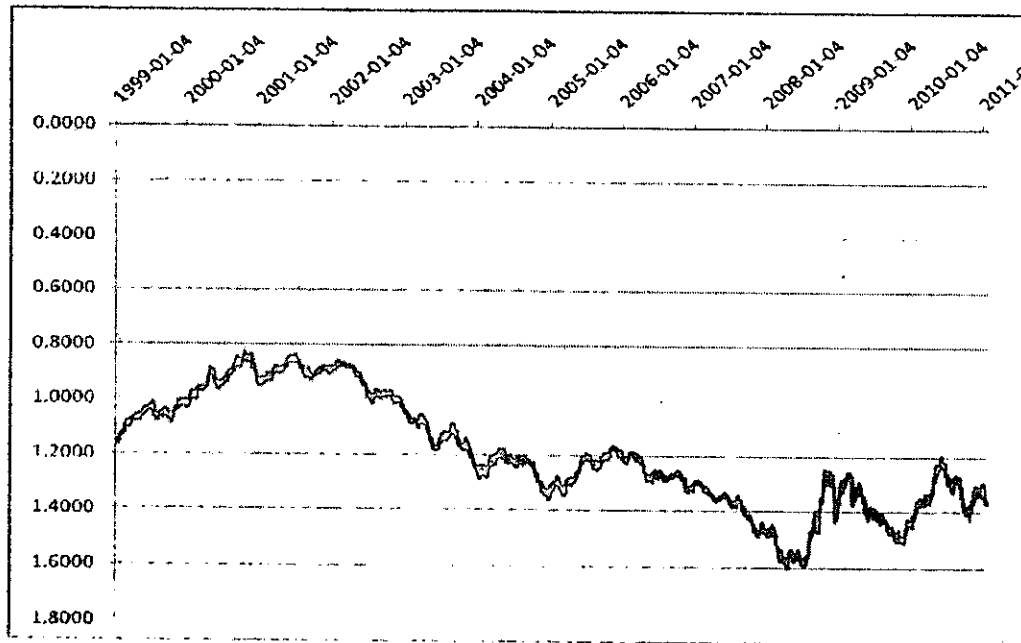
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<sup>5</sup> Evthoxia Kyroussis, "Why Do Companies and Individuals in Keene, NH Come Together to Support the Annual Pumpkin Festival, and What Gains Are Received?" Paper submitted for senior research project, Econ 491, Keene State College, Spring 2010. In 1991, the Pumpkin Festival began with the ambition of uniting the Keene community through downtown entertainment, and carving and illuminating pumpkins for everyone to enjoy. This paper examines why and how firms come together to support the festival, and what, if any, gains are received. The theory of social capital is used to explore the connection between collaboration among businesses and community economic development. Economists have criticized the theory for being vague, with no clear means of measuring social collaboration. Ms. Kyroussis conducted a survey of twenty-five randomly selected Main Street merchants to measure social cohesion and economic costs and benefits.

## 2.2. Depreciate the Exchange Rate (Stand Up to Wall Street)

The main problem, as I see it, is that the US exchange rate is overvalued.<sup>6</sup> We are pricing our own manufactures out of foreign markets. Basically, if it costs \$100 to produce a good, our exchange rate is pushing up the price by about 1/3, so that it appears to foreigners to cost \$130. Of course, the foreigners then decide to purchase the product made in another nation. I am not only talking about things made in China here, I'm talking about things made in Europe as well like airplanes.

Figure 1. Exchange Rate: Dollars to Buy One Euro, 1999 to Present



Source: FRED II Database, Federal Reserve Bank of St. Louis.

<sup>6</sup> There are several studies on this published by the Peterson Institute. Exactly how overvalued the dollar is depends, of course, changes on a daily basis. However, the persistent existence of a trade deficit for the US suggests that the overvaluation is considerable. If the dollar were valued lower, the trade deficit would automatically disappear, as exports sold faster and as imports became priced out of the market.



Every time one's exchange rate is overvalued, the pressure then comes down on workers: if our exchange rate forces up our prices overseas, one solution is to crush our wages and benefits down so that the product costs less to make. If we can get the cost of making the thing down to \$75, then we can increase the price by 30% with an overvalued exchange rate to \$100, and foreigners might still buy it. But it's a terrible thing when we overvalue our exchange rate at the macroeconomic level, and then tell our workers that they have to suffer in order to bring jobs back.

The reason our exchange rate is so overvalued is that foreigners like to buy American. But it's not American manufactures, but American financial assets. The foreign demand for American financial assets such as stocks, bonds, and derivatives is pushing up our exchange rate, and pricing our manufactured goods out of foreign markets. We should have fluffed our financial sector back up by only half as much as we did after 2007, if it sold half as many assets to foreigners, our exchange rate would come back down to a realistic level for selling our manufactured goods overseas. Unfortunately, we as a country bought the argument that only financiers could understand what was needed. People that pay themselves millions are a little intimidating.

### **2.3. Education/Industry Synergies**

Given that at a local level we can't change the exchange rate, what can be done to encourage creation of decent paying manufacturing jobs in the US? What matters is not wages, but unit labor cost, which is basically wages divided by productivity. Productivity is output per hour. So you take what you pay by the hour, and divide it by what is produced in an hour to get the unit labor cost of the item produced. If workers cost \$10 per hour and produce 100 widgets in an hour, the unit labor cost is \$0.10. If workers cost \$1 an hour and produce five widgets in an hour, the unit labor cost is \$0.20. This example shows how high productivity could persuade a company to locate the manufacturing in a high

wage country like the US, rather than a low wage country, such as China. One company in Keene, Markem, Image manufacturers date-stamp machines used by all kinds of manufacturers. A couple years ago, Markem had hived off the simple parts of their production process and relocated them to China. There they can pay a low wage, and train the workers to produce millions of widgets. However, it is time-consuming to train the workers, and it only made sense a) for large batches, and b) because the wage was so low. Another part of the production process remained in Keene. This part was where high tech equipment was used to assist the workers in producing goods or for small batches. The workers produced a lot of value every day, or produced customized orders, with the assistance of the sophisticated machines. Their high productivity and flexibility made it possible to keep high wage jobs in NH.

What raises productivity (output per man) is typically high-tech machinery. Educating our workforce so that they are capable of using this machinery helps retain jobs here. For example, a fiber-optics manufacturer in Keene has arranged with Keene State for its workers to get trained in trigonometry and physics. That's the knowledge base their workers need to have in order to work with the machinery necessary to make the product. Keene State often works with local manufacturers to build up the skill set of the workforce. Investing in education, and having the kind of dialogue between university administrators and executives of local companies—these are things that really result in job growth.

### **3. Conclusion**

Attacking unions which are already weak and attacking working people after the real blue collar manufacturing wages has fallen and fallen since 1973, well, that is just kicking a dead horse. People who make millions a year on Wall Street think their outsized paychecks give them the right to tell us how to

run the economy. But in the end they are just people. Adam Smith says never let people who make money in an industry advise the government on the policy for that industry, because they can't help but put their own interests ahead of society's.<sup>7</sup> We do have to stand up to the financial sector if we want to bring blue-collar manufacturing jobs back into the United States. After our last Great Depression in 1929, we had a government that created laws that curbed Wall Street's profits to the benefit of manufacturers. Both business and workers cooperated to make that happen in the 1930s. Attacking unions is pointless when only 11% of Americans are unionized. If unions were stronger, American society would have one more institution to stand up against Wall Street at a time when it really counts.

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<sup>7</sup> Smith notes that executives understand their industry better than anyone, but argues that they are not good advisors on policy for that industry for the following reason: "As their thoughts are commonly exercised rather about the interest of their own particular branch of business, than about that of the society, their judgment, even when given with the greatest candor (which it has not been upon every occasion) is much more to be depended upon with regard to the former of those two objects [i.e., their own particular interest] than with regard to the latter [i.e., society's interest]." Adam Smith, **Wealth of Nations**, Book I, Chapter XI, 1776.

Dear Labor Committee Members,

My name is, Dennis Adams, I live on Range Road in Deerfield, New Hampshire.

I am opposed to HB474 the Right-To-Work bill. I have been a non-union construction worker, a union construction worker, and a union officer elected by my brothers and sisters of my union. I got elected to my position in 1994 and since that time I have seen RTW proposed here in New Hampshire at least a dozen times. It has been proposed with Republican Governors, with Republican controlled Houses, and Republican controlled Senates. Every single time this Virginia based group picks out a freshman House or senate member and gets them to propose the RTW bill. IT HAS BEEN DEFEATED EVERY TIME!!!!!! Why? Right-To-Work-is-not-Right for New Hampshire.

As I stated before I have been a construction worker both non-union and union and have witnessed job site safety. It is no surprise to me that RTW states have a worse safety record and higher workplace fatality rate than non RTW states. (Bureau of Labor Statistics, documented RTW states was 52.9% higher). RTW states receive \$5,538 lower wages annually than non RTW states. These are just a couple of reasons; there will be more with the other testimony here today.

I have spoken in the past with Republicans and Democrats and they have agreed that New Hampshire does not need some Out-Of-State company proposing Right-To-Work in New Hampshire. I ask that you listen to all the testimony here today and do as your predecessors did and VOTE HB474 Inexpedient to Legislate!!!!!! We have worked together in the past; let's continue to do so in the future. Thank you for your time and consideration.

Dennis Adams

Good Morning (afternoon). My name is Jaime Contois and I live in Keene. I am here in opposition to HB 474.

I work for an organization called Working Families Win. We go door to door and hold housemeetings in the Keene area to talk with working people about issues affecting their lives. So, I talk with middle class families, low-income workers, and unemployed workers almost every day.

While many workers and families are struggling in this economy – because of losing a job, having a job but taking a cut in pay or hours or simply trying to keep their heads above water – I have never heard anyone talk about this type of legislation as a pathway to more jobs or better jobs. HB 474 will do nothing to help any of the folks that I work with– it does not create jobs, and will undercut worker protections by weakening unions. Unions help working people all over NH maintain jobs that allow them to afford a decent standard of living.

In Right to Work states workers and families are not doing better – unemployment is higher, wages are lower and fewer folks have health care or retirement security.

The promise, by politicians from both parties and at all levels of our government, has been that they will focus on jobs, jobs, jobs. Well guess what? The people I talk to in Keene want to focus on jobs too. While we may disagree about how job creation happens the facts do not support this type of legislation as a tool for creating more and better jobs in New Hampshire.

In fact, New Hampshire has spent over 30 years resisting the out of state, Virginia based, National Right To Work Committee's attempts to pass this legislation in New Hampshire. We should reject it again – it has nothing to do with our unique NH Advantage – which is much more about an educated and skilled workforce, a wonderful quality of life, and a beautiful environment -than about punishing unions for improving the lives of working people.

**Thank You,  
Jaime Contois  
NH State Director  
Working Families Win**

### **Business Creation**

\_ New Hampshire's business creation rate, or the number of establishment openings for every 1,000 workers in the state, is higher than the average business creation rate in "right to work" states. There are 11.1 businesses opened for every 1,000 workers in New Hampshire, compared with 10.1 businesses opened in states with "right to work" for less laws.

SOURCES: Corporation for Enterprise Development; Elise Gould, Employer-Sponsored Health Insurance Erosion Accelerates in the Recession—Public Safety Net Catches Kids but Fails to Adequately Insure Adults, Economic Policy Institute, Nov. 16, 2010; Economic Policy Institute; Kaiser Family Foundation, State Health Facts.org; National Education Association; U.S. Census Bureau; U.S. Department of Labor, Bureau of Labor Statistics.

Pension coverage is for workers ages 18 to 64 who worked at least 20 hours per week and 26 weeks per year. The time period covered is a 2006–2008 three-year moving average.

### **Wages and Income**

\_ Median weekly wages in every state with these laws are lower than median weekly wages in New Hampshire. In 2009, the typical full-time worker in New Hampshire earned \$849 per week, \$159 (23.5 percent) more on average than the typical worker in a "right to work" state.

\_ Our income is significantly greater here in New Hampshire, too. Median income in our state in 2009 was \$64,131—\$17,803 higher than the average median income in states with "right to work" for less laws.

\_ In addition, real median income in New Hampshire increased by 1.0 percent between 2000 and 2009, compared with a 2.9 percent average decline in real median income in "right to work" states.

### **Workplace Safety**

Workplaces in "right to work" states are much more dangerous. Residents of states with these laws are 439.1 percent more likely to be killed on the job than New Hampshire workers. The fatal occupational injury rate in New Hampshire is the lowest in the nation—1.0 deaths per 100,000 workers, compared with 5.4 deaths per 100,000 workers in "right to work" for less states.

### **Health Care**

\_ We're also more likely to have health insurance than people in states with these laws. On average, 16.7 percent of residents of "right to work" states were uninsured in 2009, compared with 10.5 percent of New Hampshire residents

### **Pensions**

\_ We're more likely to have pensions, too. Only 43 percent of private-sector workers have employer-provided pension coverage in states with "right to work" for less laws, compared with 51.7 percent here in New Hampshire.



P O BOX 370  
KINGSTON, MA 02364  
781-585-5894

February 2, 2011

Representative Gary Daniels  
Chairman  
House Committee on Labor, Industrial and Rehabilitative Services  
RM 307 LOB  
New Hampshire House of Representatives  
107 North Main Street  
Concord, NH 03301

**VIA Email**

Dear Chairman Daniels:

As president of the Merit Construction Alliance, I respectfully submit the following written testimony in support of legislation filed by Representative Will Smith of New Castle to provide all citizens with the right to work.

**TESTIMONY:**

Individual freedom is a cornerstone of our society. The freedom of religion, freedom of speech and freedom of association are basic liberties we all enjoy. These freedoms ought to include the right to choose whether one belongs to a labor union.

As president of the Merit Construction Alliance, a non-profit trade association, I represent open shop contractors and their employees. These good people are too often subjected to the unreasonable demand that they either join a labor union or do not work on certain construction projects.

I offer this testimony in support of the Right to Work legislation filed by Representative Smith of New Castle. In my professional capacity, I often see firsthand the choice individuals are forced to make: Either join a union and work, or go without employment and the ability to support their families.

On some public construction projects, and thankfully far fewer private projects, there is often a demand - usually at the behest of government officials - that the work be completed by only union labor.

Consider that Massachusetts Governor Deval Patrick has decreed that only union labor will be allowed to work on the \$750 million overhaul of the University of Massachusetts at Boston campus. If our members - including some located in New Hampshire - wish to bid on the UMass project, they must become signatory to the unions' collective bargaining agreements, essentially firing all their employees and hiring union members.

If merit shop employees wish to work on the massive project, they must quit their job and sever their existing health and retirement plans. Then they must join a union, paying an initiation fee, monthly dues and mandatory contributions to several union funds, some for which they will never inure a benefit.

In addition, the new members will be without health insurance for several months. New union members must first work a certain number of months (usually between five and six months) before they are eligible for health insurance. To add insult to injury, because of the high unemployment in the Massachusetts construction industry and because the union works on the deli system (first one in, first one out) an open-shop-turned-union worker has little chance to ever work on the UMass Boston project.

Similarly, Bank of America, the so-called "Bank of Opportunity," has issued a notice that several small bank branches being renovated or constructed in Massachusetts must use union labor. The same scenario outlined above would also occur at Bank of America or any other private projects mandating only union labor.

The choice from Governor Patrick and Bank of America is clear - join a union if you want to work.

We disagree. At MCA, our members believe employment ought to be awarded based on merit. We are not an anti-union organization. In fact, nothing could be further from the truth. We are an organization that believes in fair and open competition, that all qualified contractors and their employees have an absolute right to have an opportunity to earn a living and that membership in a union ought to remain an individual choice, not a mandate in order to work and provide for one's family.

Union members have made the decision to belong to organized labor because that is what works for them. We have made the conscious decision not to join a union because that is what works best for us. And we have plenty of company.

According the U.S. Department of Labor's latest figures, 91.2 percent of the construction workers in New Hampshire belong to a merit shop, and in Massachusetts, the figure is 84.6 percent. Clearly in construction, workers are choosing overwhelmingly to work open shop.

While we do not wish to join them, we treat our union colleagues with dignity and respect. We have never once demanded or even suggested they forgo their union status in order to work. We only ask for the same treatment.

The legislation you are considering would ensure that in New Hampshire an individual has a legally protected right to refuse to join a union without loss of employment. I urge you to pass the Right to Work legislation.

Thank you for your time.

*Respectfully submitted,*

*Ronald N. Cogliano  
President*

CC: Representative William Smith, Rockingham- District 18, Seat #:1019



**Testimony of Representative Will Smith  
Before the House Labor, Industrial and Rehabilitative Services  
Committee on February 3, 2011**

I've introduced HB 474, in order to provide a number of benefits to the quality of life in NH.

The first goal is to provide the freedom for every employee of a unionized organization to choose whether or not to join the union.

Constitutional right of freedom to associate should protect an employee from being forced to join a union or to pay for union representation. There could be many reasons an individual might choose not to join the union, including the right to negotiate his own deal with the employer, which could be to the employee's benefit. In fact, Richard Rothstein, a senior researcher with the AFL-CIO-funded Economic Policy Institute, wrote in a 1993 study that "union negotiated contracts reduce wage dispersion by reducing pay of the most productive workers".

Also no one should be forced to contribute or pay dues to an organization that they do not wish to belong to, whether it's a church, the Boy Scouts, or a labor union. This is particularly true when the union supports political objectives that are contrary to the member's wishes.

Today 22 states have laws that apply the right-to-work principle to labor management relations by outlawing the forced payment of dues as a condition of employment. If a worker's freedom to affiliate with the labor union merits government protection, then it should follow that freedom not to affiliate with a labor union also merits protection.

A recent poll (October 2010) of union employees by the survey firm Word Doctors indicates that 80% want the right to decide whether to join/pay dues to a union. Similar results apply to the opinions of the people of NH. And yet there are approximately 70,000 workers in the state who are currently forced to pay dues to a labor union as a condition of employment.

My second reason for introducing this bill is that the right to work has been shown to bolster job creation and personal income growth in the states where this freedom exists.

Because independent-minded employees have the power to resign from their union and withhold their dues in right to work states, union management must work to meet the needs of the members. This tends to lead to more reasonable demands on employers. Businesses aren't inclined to locate new jobs in states where union demands are unreasonable, and thus tend to grow jobs in right-to-

work states. Executives from Fantus Consulting, one of the nation's leading business relocation consulting firms, indicate that non-right-to-work states are put at a disadvantage when an employer is seeking to relocate or expand. They report that over 50% of companies planning to move automatically eliminate states lacking a right to work law. Elizabeth Morris, CEO of Insight Research (Dallas) states that 90% of large firms list lack of RTW as a "knockout criterion". In this economy, it is important to give businesses every possible reason to relocate to NH and create new jobs. This is especially true of manufacturing firms, which contribute significantly to the wealth (and high paying jobs) of the state in which they reside.

In 2001, Oklahoma passed a right to work law, which resulted in an explosion of job growth. Within months, that state went from 40th in the nation in job creation to number one. Oklahoma's success is indicative of right to work states overall. The US Department of labor reports that from 2003 to 2008 non-farm private sector employment in right to work states grew by 9.1% compared to just 3.6% in non-right to work states and 4.3% here in New Hampshire. Out of all 50 states, NH ranked 32<sup>nd</sup> in job growth in that period, behind all RTW states except Katrina-ravaged Louisiana and Mississippi.

Because so much of right to work states' rapid net job growth has been in high-tech, manufacturing, construction and other well compensated sectors, their overall personal income growth has been similarly rapid. From 2003 to 2008, according to the Bureau of Labor Statistics, real personal income increased by 15.8% in right to work states, compared to just 7.3% here in New Hampshire.

The Missouri Economic Research and Information Center found that the cost of living-adjusted per capita disposable personal income in 2009 was \$35,543, in RTW states, about \$2100 higher than forced-unionism states, and \$2250 higher than in NH.

Thirdly, it has been demonstrated that right to work economic benefits reach citizens at all income levels, and are in effect an anti-poverty program. According to the US Administration for Children and Families in 2009, right to work states had only 7.6 federal welfare recipients per thousand population, while non Right-to-work state's rate was over twice as high.

Fourth, not passing a right to work law not only means New Hampshire workers will be denied a brighter economic future but also that tens of thousands of workers will still be forced to contribute to political candidates they may not wish to support. Every election year, union dues finance phone banks, get out the vote drives, and volunteer campaign-organizing work by union staff who remain on the union payroll. Political observers agree that the value of the union management's contributions are far greater than reported, with some estimates going over \$800 million spent supporting their favored candidates in each election year. Some

workers must choose between supporting candidates that violate their political beliefs or being fired.

Fifth, in states with a RTW law, a worker can refuse to join or financially support a union he believes is corrupt without running the risk of being fired. A recent study of union corruption by journalist and labor-policy expert Carl Horowitz found that union corruption is much lower in RTW states than those with a union monopoly.

I would also like to point out that union leaders often claim that employees who refuse to join a union or pay agency fees are "free riders" on the contract negotiation by the union. However, in the private sector, there is no obligation to negotiate for everyone. It's my hope that passing RTW will encourage unions to negotiate members-only contracts. In the public sector, a bill was introduced in 1998 that would have eliminated the unions' obligation to negotiate for everyone in NH, but this was successfully opposed by the unions.

For all of these reasons I believe that the state of New Hampshire needs to join the 22 fast-growing states and pass this bill that will give freedom of choice to employees as to whether or not they wish to join the union. I believe this is not only good for the state and its economy generally but also for the individual union members who will find that their ability to make their own decision on joining a union will help assure that the union does meet their needs and expectations. This will not typically happen in a forced union situation.

A section of the bill requests that it be known as the Franklin A. Partin, Jr. Right to Work Act. In 1973, Frank was working for Philco-Ford at the New Boston Air Force Station when the work force was unionized. Because his religious beliefs were incompatible with union membership, he refused to join. He offered to pay an equivalent amount to dues to charity (which was his right under the Civil Rights Act of 1964) and provided documentation of his church's position, but the union would not accept the offer, and Frank was fired. He spent the remainder of his life fighting to introduce freedom of employee choice to NH. He died last month. I believe it would be appropriate to recognize his efforts if this bill passes.

NH is not the only state to be considering RTW legislation. The WSJ had an article this week reporting on the efforts of several states, using similar arguments to the ones I've presented today. Also, Ronald Cogliano, President of the Merit Construction Alliance, has asked me to submit his letter supporting this bill. The Alliance represents open shop contractors and their employees. I would like to present this to the committee. The bill is good for the individual worker and for the state as a whole, and I urge this committee to report the bill out positively.

**Honorable Members of the New Hampshire General Court:**

I am David Murotake, residing at 17 Portchester Drive, Nashua NH in Hills 26. As an elected member of the Nashua Board of Education, I support Representative Summers and other sponsors in supporting HB474, "Right to Work Act", and urge the Committee to vote "Ought to Pass" on this legislation.

After taking office just over a year ago today, I have been approached, confidentially, by over two dozen schoolteachers employed by the Nashua school system. They complained of the mandatory nature of union membership. In Nashua, to teach in our public schools, you must either be a member of the Nashua Teachers Union, or pay an annual fee to the union, fully equal to the union dues. The fee compensates the union for collective bargaining efforts on behalf of all teachers in the district.

These complaints by Nashua teachers, against what they view is forced membership in the union, is the most frequent issue I hear from my constituents across the City of Nashua. Many, but not all, of these complaints come from younger, high performing teachers, who feel their advancement is restricted by the seniority rules. What mandatory union membership enforces, across our district, is strict adherence to seniority, not ability or performance, as the metric by which job retention and promotion are handled. In particular, in a time of lay-offs, it guarantees that the most senior teachers are retained, even if a younger teacher may be better qualified. Although resented by many teachers, these same teachers feel powerless to change the status quo.

As our school districts move closer to job retention and promotion based on teacher performance evaluation, as embraced by the new Common Core Standards adopted by the State of New Hampshire, the very existence of mandatory, seniority-based unions will make implementation of performance-based rewards difficult, if not impossible, to implement in those districts which have closed-shop unions, especially in the public sector.

I believe the argument by unions that payment of a fee by non-members is "fair" is disingenuous. The right of a union to perform collective bargaining on behalf of all employees, union or not, benefits unions since it can prevent a non-union employee from negotiating salary and benefits which are better than those available to union members. The right of unions to conduct collective bargaining for all employees is not, necessarily, a "benefit" as it can restrict the salary potential of high-performance non-union employees. Non-union members should therefore NOT be required to pay ANY fee to the unions, if they are not members of the union.

This testimony does not deny that workers should have the right to form collective bargaining units. Whether in private industry, or in the public sector, workers should always have the right to form unions - or refrain from joining unions - as their hearts desire. Making union membership, or the payment of ANY fee to unions, for the right to work at any private or public sector job, is anathema to our Live Free

or Die work ethic here in New Hampshire. It also complicates the job of streamlining public sector jobs, or negotiating affordable collective bargaining agreements for all levels of city, county and State Government here in New Hampshire.

I urge this Committee to vote Ought to Pass on this Bill, and bring it forward to the entire General Court with your Committee's strong support. Thank you.



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David K. Murotake, Ph.D.

3 February 2011

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Statement before the House Employment, Labor and Pensions  
Committee  
New Hampshire General Court  
Dimitri Kesari  
National Right to Work Committee  
Thursday, February 3, 2011

My name is Dimitri Kesari. I am the Director of Government Affairs for the National Right to Work Committee, a 2.6 million member citizens' organization dedicated to the elimination of compulsory unionism.

I would like to thank the Chairman and Members of the House Committee on Employment, Labor and Pensions for taking the time today to examine House Bill 474, the New Hampshire Right to Work Bill.

Today, I'm more hopeful than ever that New Hampshire citizens will soon begin reaping the benefits of a state Right to Work law.

Right now in New Hampshire, tens of thousands of Granite State workers are forced to pay union dues against their will.

Under this system of compulsory unionism, workers are forbidden from representing themselves, told they must accept union representation, and then given a bill with orders to "Pay up or be fired."

Most Americans agree, that this type of compulsion is just plain wrong.

Not surprisingly, because union officials have no accountability under this system, workers find themselves as targets of abuse.

The good news is, there is a simple remedy for this. That is to allow employees in New Hampshire to exercise their right to refrain from joining or financially supporting an organization that has a long history of misuse of its power.

HB 474, the New Hampshire Right to Work Bill, would do just that.

Workers would be free to choose whether or not they want to join and pay dues to a union.

But freedom isn't the only benefit of a Right to Work law.

The economic record clearly shows that Right to Work laws are positively correlated with higher real wages and salaries and the creation of good jobs that provide good benefits.

The fact is, report after report has shown that many, if not most, businesses automatically eliminate non-Right to Work states like New Hampshire when relocating.

Over the past decade, private sector job growth was six times greater in Right to Work states than here in New Hampshire.

That's a significant difference.

Of course, even many forced-unionism proponents concede that job creation is far more rapid in Right to Work states as a group than it is in non-Right to Work states.

Their arguments instead virtually always focus on wages.

But what Big Labor apologists consistently fail to calculate in are critical factors such as cost of living, real personal income growth and real purchasing power.

After all, a worker in forced-unionism California making \$45,000 per year and a worker in Right to Work Iowa who also makes \$45,000 per year are hardly equal.

But when these factors are considered, hard-working families in Right to Work states once again come out far ahead.

According to George Mason University's Nobel Prize-winning economics department, families in Right to Work states average \$2,800 more in purchasing power than families in non-Right to Work states.

And a more recent study conducted by Dr. Barry Poulson -- a past president of the North American Economics and Finance Association -- found that families in Right to Work states have nearly \$4,300 more purchasing power than families in non-Right to Work states.



Especially considering the tough economy New Hampshire families are currently dealing with, I believe to continue along with the forced-unionism status quo would be a huge mistake.

In fact, I believe it would be a disservice to men and women all across New Hampshire who are currently struggling to make ends meet.

Mr. Chairman, there's no way that, in the relatively brief presentation I'm making today, I can do justice to the overwhelming evidence indicating that Right to Work laws are both morally right and economically beneficial.

But I hope what I have been able to say will help each of your committee members make a well-informed decision.

And I hope that they all will agree that it's time we free up the New Hampshire economy by passing HB 474, the New Hampshire Right to Work Bill.

Thank you, Mr. Chairman, for allowing me to speak before this committee. I'll be glad to take questions.

COMMENTS OF COMMISSIONER COPADIS  
February 3, 2011

Good morning. For the record my name is George Copadis and I currently serve as Commissioner of Labor for the State of New Hampshire. I am here to testify against HB474. This is not the first time Right To Work legislation has been introduced in the State of New Hampshire. In fact six previous Labor Commissioners including Duvall, Murphy, Kelly, Flynn, Symonds, and Casey have all appeared before the House and Senate opposing this legislation.

The State of New Hampshire has the 10<sup>th</sup> highest per capita income according to 2009 data released by the Bureau of Economic Analysis, U.S. Department of Commerce. Of the states with the 10 lowest per capita income based on the data supplied by the Bureau of Economic Analysis, the Right To Work states occupy six of the top 10 positions including:

Arizona 42<sup>nd</sup>  
Alabama 41<sup>st</sup>  
Idaho 48<sup>th</sup>  
South Carolina 45<sup>th</sup>  
Utah 49<sup>th</sup>  
Mississippi 50<sup>th</sup>

The record speaks for itself. The United States average per capita income is \$39,626.00. Six of the top 10 lowest states for per capita income are occupied by Right To Work states with wages ranging from \$30,426.00 to a high of \$33,360.00. In comparison, New Hampshire at 10<sup>th</sup> of the top 10 states for highest per capita income stands at \$42,585.00. As we have heard often Right To Work offers workers one thing: the right to work for less.

The State of New Hampshire is not economically stagnant. The State of New Hampshire offers low unemployment, low taxes, and a great place to raise a family. There is no crying need for changing this NH advantage and setting the clock back to lower wages for employees. I think we all want to obtain good wages, a safe working environment, and good benefits for our own families. Shouldn't we want that for all families?

I want to thank you very much for your time as well as your consideration of my comments.

## Empirical Models: Data and Hypothesis

The question is: what happens to business conditions

### Business Condition Variables

$Y_1$  • number of employer firms

$Y_2$  • total self-employed workers (in occupation)

$Y_3$  • ratio of new firm formations to present # firms

$Y_4$  • ratio of bankrupt firms to present firms

when RTW legislation is enacted while controlling for these variables

### Overall Economic Conditions

$X_1$  • employment to population ratio

$X_2$  • per capita personal income

$X_3$  • wages and salaries

$X_4$  • proprietors' income

$X_5$  • economic growth rate in state GDP

Hypothesis is that there is no difference in business and economic conditions between RTW and NRTW states.

model 
$$Y_i = \beta_0 + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + \beta_5 X_5 + \epsilon$$

↙ set of equations of this form (simplified)

### p. 608-609 Model Results

The initial result of the hypothesis test shows that there is an implication of a significant difference in business and economic conditions between RTW and NRTW states. But before jumping to conclusions, this only means that the parameters of the independent variables must be examined.

- If RTW states enjoy better business conditions relative to NRTW states then

# of businesses (not there)

self employment

ratio of businesses formations to # firms (not there)

Should all be positive + significant

and

bankruptcy ratio will be negative + significant

∴ a one unit increase in the likelihood that a state will enact RTW Law has no effect on the number of existing firms or the "birth" of new firms.

\* No indication of increased capital formation \*

\* Decrease in per capita personal income

\* Increase in population income

\* No effect on economic growth

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# The Effect of Endogenous Right-to-Work Laws on Business and Economic Conditions in the United States: A Multivariate Approach

LONNIE K. STEVANS\*  
Hofstra University

*A state's right to prohibit unions from compelling employees to pay dues even when they are covered by a collective bargaining agreement has its basis in the 1947 Taft-Hartley amendments to the National Labor Relations Act (1935). After the amendment's passage, twelve states passed "right-to-work" laws – as did ten more states in the intervening years. Although there has been considerable research on the effect of right-to-work laws on union density, organizing efforts, industrial development and some study of wage differences, there has been little or no examination of the legislation's influence on business and economic conditions across states. In this paper, the average differences in business conditions, employment, personal income, wages and salaries, and proprietors' income across states that have enacted right-to-work laws versus those states that did not, are examined assuming that the legislation is endogenous and controlling for state real economic growth, region, and year. Although right-to-work states may be more attractive to business, this does not necessarily translate into enhanced economic verve in the right-to-work state if there is little "trickle-down" from business owners to the non-unionized workers. While the number of self-employed is higher and business bankruptcies lower on average in right-to-work states, there is no significant difference in capital formation or employment rates, ceteris paribus. In addition, per-capita personal income and wages are both lower, yet proprietors' income is higher in right-to-work states.*

## 1. INTRODUCTION

"Right-to-work" is the expression used to describe what is known as "open shops." Under state right-to-work laws, union membership is not a requirement for employment and workers can choose whether they want to be in a union even if the company is unionized. This makes it harder for unions to

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\* This research was supported by a Summer Research Grant from the Zarb School of Business, Hofstra University, Hempstead, NY. Associate Professor, Zarb School of Business, Department of IT/QM, 134 Hofstra University, Hempstead, NY 11549-1340, acslks@hofstra.edu.

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**Testimony of John A. Kalb**  
**Executive Director, New England Citizens for Right to Work**  
**Before the House Committee on Labor, Industrial and Rehabilitative Services**  
**On House Bill 474**  
**February 3, 2011**

Mr. Chairman, members of the committee, my name is John Kalb, and I am the Executive Director of New England Citizens for Right to Work.

I am proud to come forward in support of House Bill 474, which would guarantee working men and women in New Hampshire the right to decide for themselves whether a labor union deserves their financial support.

HB 474 would re-affirm a worker's right to join a union, and also give him the right to refrain from joining or financially supporting a union.

Right now, the law workers are under is akin to needing a ride, but having no choice but to board a bus where the majority votes on a destination, and arriving at an undesirable destination, being forced to pay a hefty fare. It's "Want a job? Go union, and leave the driving to us."

Unfortunately, if a union chooses monopoly bargaining status, they take away a worker's right to negotiate for himself, to drive his own car, so to speak.

And contrary to what you have heard, this is a choice on the part of union officials.

According to William Gould, who chaired the National Labor Relations Board under President Clinton, federal law "permits 'members-only' bargaining for employees without regard to majority rule or an appropriate unit and without regard to exclusivity."

Additionally, here in New Hampshire, a bill was introduced in 1998 that would have removed unions' obligation to negotiate for everyone in the public sector, and the NEA, SEA, state AFL-CIO, and Teamsters Local 633 all testified against it.

So clearly, monopoly bargaining is not something that has been foisted upon unions, but rather is a special privilege that union officials have actively sought.

Even worse, unions then turn around and use the so-called requirement that they negotiate for everyone as their chief pretext to demand that all workers be forced to pay for the benefits that unions allegedly provide.

In essence, they are taking away workers' rights to negotiate for themselves and then demanding that those same workers pay for having their rights usurped.



This is unfortunately a far cry from what Samuel Gompers, the founder of the American Federation of Labor, believed.

In his words, "no lasting gain has ever come from compulsion. If we seek to force, we but tear apart that which, united, is invincible. "

Gompers also said. "there may be here and there a worker who for certain reasons unexplainable to us does not join a union of labor. That is his right. It is his legal right, no matter how morally wrong he may be. It is his legal right, and no one can or dare question his exercise of that legal right."

In addition to being the right thing to do, passing HB 474 would also give individual workers an effective counterweight against union militancy.

When asked if he would support a controversial resolution at a NEA convention, former Iowa State Education Association honcho Fred Comer said,

"Hell no, we don't support it! Iowa is a Right to Work state. We have to earn our membership. If we supported that, we'd lose too many members."

And just last fall, AFL-CIO national president Richard Trumka said, "I got into the labor movement -- not because I wanted to negotiate wages. I got into the labor movement because I saw it as a vehicle to do massive social change..."

Why should workers be forced to pay financial support to an organization whose leader's main stated purpose is to do "massive social change" they may not agree with?

You see, under the present system, where workers are almost always forced to pay a union just to keep a job, there is little incentive for union officials to respect the views of the minority so long as they can keep a bare majority happy enough to avoid decertification.

Passing a Right to Work law would also help New Hampshire's economy.

Oklahoma, the most recent state to pass Right to Work, within six months went from 40th to first in job growth, and has consistently outpaced forced unionism states since 2001, when voters there made Right to Work part of the state constitution.

Right to Work states also had six times higher job growth than New Hampshire between 1999 and 2009. Even better, Right to Work's benefits have reached people at all income levels. While over seventeen people per thousand receive federal welfare money in forced-unionism states, less than eight per thousand are on the welfare rolls in Right to Work states.

In conclusion, passing a Right to Work law will help New Hampshire workers and New Hampshire's economy, and it's just the right thing to do.

I urge all of you to vote HB 474 Ought to Pass.



GARDNER LATTIME  
PRESIDENT

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# New Hampshire State UAW CAP Council

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Julie Kushner, Region 9A Director      Ted Feng, Assistant Director  
Beverley Brakeman, CAP Representative  
4 Birch Street #202; Derry, NH 03038  
TEL: (603) 381-7324

TO:            Members of the NH House Labor, Industrial and Rehabilitative Services  
                 Committee

FROM:        UAW New Hampshire Community Action Program Council

DATE:        February 3, 2011

RE:            House Bill 474: Urging the Committee to Vote "Inexpedient to Legislate"

This communication comes to you on behalf of many hundreds of United Auto Workers (UAW) members and retirees in New Hampshire – and on behalf of our families as well. The UAW in NH encompasses workers from the City of Concord and the Concord School District, from the City of Nashua, from Rockingham Park, from a school bus company in Belmont, and from manufacturing workers in the Monadnock region, as well as freelance writers in all corners of the state.

**WHY DO YOU AND WE HAVE TO DEAL WITH SO-CALLED "RIGHT-TO-WORK" LEGISLATION YET AGAIN AFTER IT HAS BEEN REJECTED FOR DECADES, IN BIPARTISAN FASHION, BY THE NH LEGISLATURE?**

Our first question to the NH Legislature and to the Labor Committee in particular is: Why is the Legislature wasting its time and the public's time yet again with a bill that has been introduced and *rejected* over and over and over, ad nauseum, by New Hampshire Legislatures of all political stripes – over a span of several decades. NH has continually been in the crosshairs of the Virginia-based National Right-to-Work Committee as it has orchestrated and funded intensive efforts to advance this legislation – a bill that, plain and simple, is an attack on unions and represents blatant government interference in the decision-making that takes place between unions and their signatory employers.

**HOUSE BILL 474, WHICH WOULD OUTLAW 'FAIR SHARE CLAUSES' IN UNION CONTRACTS, DOES NOTHING TO CREATE JOBS OR ADVANCE DECENT EMPLOYMENT FOR NH RESIDENTS; RATHER, IT IS DESIGNED TO UNDERMINE OUR ECONOMIC FABRIC**

We have been told that the Legislative leadership is committed to a laser-like focus on job creation and strengthening the NH economy. If this is truly the case, you need to send HB 474 packing. It does nothing whatsoever to create jobs or enhance the NH economy, and you will be hearing significant, fact-based economic testimony to support this point. What this bill *would* do is convey a message to the nation and the world, "We want to be a low wage state with diminished wages, benefits, and respect for workers."

Why in the world would this be the economic mantra that you want for New Hampshire? How would you explain this stance to all the people in your legislative district who are desperate to support their families and obtain health security by means of a good job with a family-sustaining wage and a basic benefit package?

**THIS BILL IS BASED ON A FALSEHOOD – THAT WORKERS ARE “FORCED” TO JOIN UNIONS WITHOUT RECOURSE**

Others who come before you will surely explain, in depth, the specifics of U.S. Labor Law for Committee members who are not aware of the facts. The whole notion of “forced unionism” is a fabrication. It is a ruse to whip up a frenzy of support for this disingenuous legislation.

**IF YOU SUPPORT NEW HAMPSHIRE’S LIBERTARIAN STREAK AND BELIEVE THAT GOVERNMENT SHOULD NOT DICTATE TO BUSINESSES HOW THEY SHOULD RUN THEIR INTERNAL AFFAIRS, YOU SHOULD SOUNDLY REJECT HB 474**

In 1975 – 36 years ago – under a Republican administration, the U.S. Postal Service issued a stamp that says *Collective Bargaining: Free Enterprise – The American Way*. So, let’s look at the American Way – and the New Hampshire Way. *The New Hampshire Way includes the freedom of labor and management to decide for themselves what is best for their own workplaces* in terms of the provisions in their collective bargaining agreement, including whether or not their agreement includes what is known as a fair share clause or what has been called “a union security clause.” *It is the New Hampshire Way that, when labor and management sit down at the bargaining table, they should be free from legislative interference as they hammer out, fairly and democratically, what they want in their own work contracts.*

HB 474 sends an extraordinarily paternalistic and demeaning message to union members and to some of New Hampshire largest employers, such as Public Service Company of New Hampshire and Fair Point Communications, among others. If you embrace HB 474, you will be saying to employers, “We know better than you do. We wish to substitute our judgment for yours.” You will be saying to workers, “We don’t believe you are capable of knowing what’s best for you or that you’re smart enough to choose, democratically, for yourselves what types of contractual clauses best meet your needs. So, we – big government – want to limit your options.”

It is just incomprehensible to us that New Hampshire would actually go down the path that HB 474 calls for. *Big government interfering with labor and management relations in the workplace is not a New Hampshire value.*

**IF YOU SUPPORT THE BASIC TENETS OF DEMOCRACY, YOU SHOULD SEND HB 474 BILL PACKING**

Labor Committee members and all 424 NH Legislators are in office because you received enough votes to get elected – not 100% of the votes but a majority or plurality. The bills that you pass become law because they first receive a majority of the votes in the House and the Senate – not 100% but a majority. That is what democracy is all about. In both instances, in elections and in the passage of legislation, someone might not be happy. But democracy is at play. Workers form unions only through democratic processes and democratic votes. The collectively bargained agreements between workers and their employers in this state are ratified by democratic processes within the unionized workforce.

We all know that 100% of workers in any workplace – just like 100% of voters and 100% of the constituents in your legislative districts – might never achieve 100% agreement on all issues. That’s just a reality of life. We in the UAW realize that the Labor Committee may hear from a few workers who have gripes – about their union or their workplace – because the National Right to Work Committee has been good in the past at unearthing a smattering of unhappy workers and urging them to air their grievances before you. But, *despite any emotional rhetoric you may hear, we implore you to stay focused on what HB 474 is really all about. It is not about ensuring freedoms – it is about taking away worker freedom and employer freedom to negotiate collectively-bargained agreements the way they see fit, using legal, democratic processes.*

**THE NOTION OF THE UNDEMOCRATIC, ALL-POWERFUL “UNION BOSS” IS A MYTH**

Over the years, the sponsors and out-of-state architects of so-called “right to work” legislation have referred repeatedly to that mythical creature, “the union boss” or the all-powerful “union official” who purportedly controls the minds of rank and file workers. Rhetoric aside, we New Hampshire residents in the UAW know this just ain’t so. No “union official” has the right to waltz into our union workplaces and mandate that there be a fair share clause or a union security clause in our collectively-bargained agreements. If the majority of the union workforce doesn’t want such a contractual clause, workers won’t agree to it. If management within a unionized workplace doesn’t want such a clause in its contract with its workers, the employer won’t agree to it. *This is the real freedom of choice in the workplace – the freedom of workers, by majority vote, and the freedom of employers to choose for themselves what should be in the contract they negotiate with one another.*

We thank the Labor Committee for consideration of our comments – and we urge you: for the sake of New Hampshire values, HB 474 must be found “inexpedient to legislate.”

Submitted by: Gail Kinney, Member, UAW #1981  
321 Jones Hill Road  
Canaan, NH 03741  
603-632-4538

## Why New Hampshire needs a right-to-work law

FINDS A FACT OF LIFE. WE HAVE TO DEAL WITH IT

Industry likes right-to-work states. In New Hampshire, we need more industry. Our young people are leaving the state to find work. We have a terrible unemployment problem. We have a tax revenue shortfall. More industry would solve all these problems. Becoming a right-to-work state will bring more industry into New Hampshire.

I understand my union friends who tell me they need a closed shop to make all the workers in a plant pay their fair share of union expenses.

But, my union friends are employed and bringing home a paycheck. A whole lot of my neighbors are unemployed, or working low wage dead end jobs in the tourist business. Believe me, waiting tables, shoveling snow or pulling chairs on a ski lift doesn't hold a candle to a good factory job.

Right to work will bring industry to offer those good factory jobs. The benefit of more jobs in the state far outweighs a small inconvenience to our union friends.

David Starr  
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Good morning Mr. Chairman and committee members,

My name is Brian Pike and I am a life long resident of Dunbarton New Hampshire, and to save you time looking it up, I am a registered republican. I am also a 15 year plus employee of the Department of Transportation and a member, as well as a Director of the State Employees' Association.

Today we are all here to hear about the pros and cons of a bill called Right to Work, which many have stated it will allow people a choice of whether to join a union or not, or pay dues. Currently that right is already the law of the land; people cannot be forced to join a union or to pay dues. Why do we need another law to require what is already law?

Current laws require that a collective bargaining agreement cover all employees of the bargaining unit, irrespective of their membership status. In other words, if you are not a member of the union, you still reap the benefits of all the work that went into negotiating that contract. Now, I was brought up that you pay for services rendered on your behalf. Besides being a fiscal conservative, I was taught to believe as a republican you also pay your bills, which you incur.

HB 474 is a slap in the face to those cornerstones that I was taught. It in essence allows the people who are not members of a union to commit a crime; last I knew theft of services is a crime. Negotiating contracts cost money, everybody that benefits from that contract ought to pay the fair cost of negotiations.

Some would argue that weakening a union with this bill to the point of eliminating collective bargaining would be a plus, I disagree. Many in this chamber campaigned on the platform of spending less, and less taxes, which was the mantra of one of the most famous conservative in NH, Meldrim Thomson.

Governor Thomson saw the advantages of collective bargaining, which is why it became law on his watch. Our history in this state shows that without collective bargaining we are relegated to chaos. If the current law was good enough for Governor Thomson to support, then I would think it is still good enough for the State of New Hampshire.

Lets face it this bill isn't about the right to work, we all have the right to work; the title is the same style rhetoric that is used in Washington, like No Child Left Behind as an example. This bill is about union busting. Its intent was well described recently in a Fosters Daily Democrat editorial. What strikes me as strange is that when I was back in school I learned that in essence the United States is a Union. It is written into the very fabric of this nation via the Constitution. As it has been quoted time after time – “We the People of the United States, in Order to form a more perfect Union”. During the Civil War the United States was continuously called the Union, lead by one of our most respected Republican Presidents, Abraham Lincoln.

It is understood that if you live in the United States, you must pay your share for the common good, for the good of the union. We are all part of a union, it is the American way. Supporting this bill tears apart a smaller version of what this country is all about. This bill promotes the demise of one of the core beliefs of the American way of life. I believe it can be argued HB 474 is un-American. Let me leave you with these pieces of trivia – When Hitler took over the first thing he did was disband unions, why? The only constitution that has ever had right to work written into it was the United Soviet Socialist Republic, the deceased USSR.

I stand before you to speak in opposition to HB 474 for many reasons, however, I really do not want to see New Hampshire go down the same road as the Soviets. Thank you for your time.

**Gail Kinney**

321 Jones Hill Road  
Canaan, NH 03741

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Seminarian and Candidate for Ministry with the United Church of Christ  
Member, Economic Justice Task Force, United Church of Christ, New Hampshire Conference  
Member, Economic Justice Covenant Working Group, United Church of Christ (national body)

Testimony Regarding HB 474  
Presented to the House Labor, Industrial and Rehabilitative Services Committee  
February 3, 2011

*"We must guard against being fooled by false slogans, such as 'right to work.' It is a law to rob us of our civil rights and job rights... Its purpose is to destroy labor unions and the freedom of collective bargaining by which unions have improved wages and working conditions of everyone. Wherever these laws have been passed, wages are lower, job opportunities are fewer and there are no civil rights."*

– Rev. Dr. Martin Luther King, Jr., speaking on right-to-work laws in 1961

Chairman Daniels and Members of the Committee:

As a person of faith and as one who is preparing for the Ministry, I wish to convey to you that there is deep concern among religious congregations throughout New Hampshire about the misguided HB 474, the so-called "right-to-work" bill. We all know that this is a bill aimed at weakening unions, pure and simple. And that goal is profoundly disturbing to many in our churches.

**In faith, I want to emphasize for all Committee members that many Granite State residents *beyond union members* are tremendously concerned about this economically destructive legislation.** People within my denomination care about the strength and the health of the economy of New Hampshire and we care about the economic security of the working families in our congregations and our communities. HB 474 will do nothing positive for our economy; it will do nothing positive for workers and working families. This is not a bill about providing jobs for New Hampshire citizens. We have looked at the economic data and wonder why in the world the New Hampshire would want to replicate the median earning levels, wage rates, reduced benefit levels,



and other "low road" economic indicators of the states with "right to work" laws.

**In faith, I hope that those in the Legislature who cherish their own faithfulness, no matter what your specific tradition, will also share a commitment to truth-telling and fairness and care for the laborer, the poor, the "common man" that are so integral to our sacred texts.** As chronicled in the Book of Exodus, Moses led God's people out of slavery and oppression. In the past century and beyond, unions have led workers out of wage slavery and oppression. Jesus of Nazareth himself was a laborer and he cared deeply about all those who labored and who struggled in an unfair economy. The tragedy of HB 474 is that in this time when the wage and wealth gap in our country is growing astronomically, this bill would just increase the imbalance of economic power between labor and capital – between the haves and the have nots.

**In faith, I hope you will also remain mindful of the Commandment, among the Ten Commandments, that one shall not bear false witness or false testimony. While probably emotionally heartfelt, the testimony you hear about forced unionism is false testimony. The testimony that HB 474 will somehow build up the NH economy is false testimony. The very name of this bill "The Right to Work Act" is a false and misleading name. This bill is not about work. It is not about a right to a job.**

Finally, in faith, I want to share my concern about a possible rush to judgment regarding this legislation. I note that the Legislative Calendar in which this Hearing was listed implies that you might intend to vote on this bill as soon as all the testimony has ended. Some of my religious colleagues tell me that the word on the street is "the fix is in" on this legislation and that my testimony, and that of others, won't matter. I wish to believe otherwise. **In our world of faith, we place a great deal of importance on discernment – on careful contemplation regarding major acts. You can't possibly fairly consider the facts about labor law and the grave concerns of so many NH citizens about HB 474 without a period of careful discernment. Please take the time to distinguish the facts from false witness and to discern that the falsely-called right-to-work bill is simply wrong and damaging for our state.**

Prayerfully,  
Gail Kinney

Good ~~Morning~~/Afternoon

My name is Richard Burke and I am here on behalf of Council 93 of the American Federation of State County and Municipal Employees.

AFSCME Council 93 represents approximately 2,000 dedicated and hard working public employees here in New Hampshire – and another 43,000 in the surrounding New England States.

*of New Boston*  
And while I am here today to speak on behalf of AFSCME and its New Hampshire members, I want to note that I am also here as a private citizen of New Hampshire— a citizen who has benefited tremendously from being part of a union.

Like many other organizations and individuals here today, AFSCME strongly opposes House Bill 474 ~~(Employee Free Choice Act)~~ more commonly referred to as Right to Work or Right to Work for Free legislation.

Supporters of this legislation will tell you that it simply gives workers the right to reject union membership if they so desire.

*These*  
~~Supporters will say that is what this bill is all about – much like they claim their opposition to the Employee Free Choice Act is all about protecting the sanctity of the secret ballot.~~

*Not relevant*

~~But we know better.~~

The truth is this legislation is ~~about much more~~

~~is~~ part of a thinly veiled agenda that seeks to weaken and eventually crush the labor movement.....

.....an agenda that seeks to widen the gap between the wealthy and the middle class, and drive another wedge between the union and non-union workforce.

The truth is federal law already protects workers from being forced to join a union.

**And, federal law also protects non-members from having any portion of the modest fair share fees they pay from being used to pay for union activities that violate their religious or political beliefs.**

**What this bill would do is allow workers who choose not to pay full union dues to fully benefit from the fruits of hard fought negotiations on wages, healthcare, retirement benefits and working conditions – without paying a single cent.**

**If anything, this bill should be called the right to a free ride bill.**

**Why? Because it would eliminate the ability of unions to charge a modest fee – a small portion of full union dues – to meet the high costs associated with negotiating and enforcing contracts; and providing legal representation to workers who have been wrongfully terminated, disciplined or denied promotions.**

**This modest fee gives workers virtually every benefit of being in a union – at a fraction of the cost.**

**In fact, if a non-union member who pays a fair share fee is wrongfully fired, the union is required to use its resources to defend that worker, even if it means a long and costly battle in the courts. Non-members can even sue the union if they think they have not been adequately represented in such cases.**

**Without the ability to charge this fee, the ability of unions to fight for workers will be significantly diminished and possibly – eliminated all together.**

**That's why supporters of this legislation love it so much.**

**Proponents of this legislation don't care about workers having to pay this modest fee.**

**They're not interested in putting a few extra dollars in someone's pockets.**

**They want to eliminate the fee because they're hoping that over time, enough people will opt for the free ride, and the unions will eventually**

**lose the resources they need to wage sustainable campaigns for fair wages and benefits, and decent working conditions.**

**When that happens, it's the working families who lose.**

**In fact, we all lose.**

**Anyone who doubts that need only look and states where this legislation is in place and unions are prohibited from charging fair share fees.**

**According to data from the U.S Census Bureau; the Bureau of Labor Statistics; the National AFL-CIO and other organizations, the average worker in Right to Work states earns about \$5,333 less a year than workers in other states.**

**The number of uninsured is 21% higher**

**The poverty rate is 12.5% higher**

**Those who are injured on the job receive significantly lower workers' compensation benefits in Right to Work states.**

**And in these Right to Work states where diminished union resources prevent us from adequately addressing workplace safety issues, the rate of workplace deaths is 51% higher – 51%!**

**So as New Hampshire's lawmakers consider this legislation, we urge them to consider the impact.**

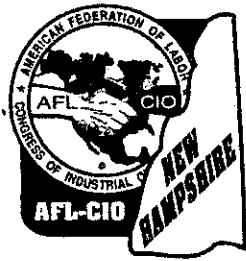
**And we urge them to look beyond the simple rhetoric that seeks to dumb down this issue with a catchy and seemingly common sense phrase like the Right to Work for Free.**

**We urge them to consider the long range goal of the proponents – which is to put the labor movement out of business.**

**And we urge them to consider the long lasting impact that would have on workers, their families and our economy.**

**Thank you.**

**\* PLEASE VOTE TO ITL HB477**



# NEW HAMPSHIRE AFL-CIO

PRESIDENT  
Mark S. MacKenzie

SECRETARY/TREASURER  
William A. Stetson

PRESIDENT EMERITUS  
Harland W. Eaton

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## Testimony of Mark MacKenzie New Hampshire AFL-CIO February 3, 2011

Mr. Chairman, on behalf of 40,000 union members and their families, I urge you to reject HB 474. We urge you to reject this legislation for the following reasons;

- This legislation would hurt the middle class
- This legislation would require union member to cover the costs of negotiation contracts and improved wages and health care benefits for all of their coworkers- whether or not they were union members.
- This legislation will not create additional new jobs in the state of New Hampshire and will hurt our economy.

**HB 474 would hurt the middle class.** This legislation would make it harder for workers to join together, limiting workers ability to fight for better wages and benefits, job security, and safer work places for everyone.

**HB 474 would force certain workers to pay the costs of representing all workers.**

Union security clauses are simple fair play. The Supreme Court has spelled out unions' duty to fairly represent everyone- both members and nonmembers-covered by a contract. Unions must negotiate for everyone in the bargaining unit. We must enforce the contract and process grievances for everyone in a fair, honest, and non-discriminatory manner. We cannot refuse to pay the costs of arbitrating a grievance simply because it involves a non-member. If we ignore these obligations, we are liable for serious financial penalties. If HB 474 passes, we will still have this duty of fair representation. HB 474 would unfairly force union members to pay not only for themselves but for their coworkers who want and use all the benefits of the union contract without paying their fair share.

HB 474 declares that New Hampshire businesses and workers cannot be trusted. It prohibits them from bargaining a union security clause that requires everyone who benefits from a union contract to pay their fair share of the costs of obtaining and protecting those benefits. Current state and federal laws do not require New Hampshire employers to sign union

security clauses. They permit employers and workers to negotiate such clauses if they wish.

**HB 474 is wrong for New Hampshire's economy.** New Hampshire workers have higher wages and better benefits than workers in states that have laws like HB 474. New Hampshire workers get paid an average of \$44,932 a year. In states with laws like HB 474, they average \$39,169.<sup>1</sup> The typical household in New Hampshire had an income of \$64,131 in 2009, compared with only \$46,328 in states with laws like HB 474. Also, real household income has risen in New Hampshire over the last nine years by 1.1 percent, compared with a 2.9 drop in household income in states with laws like HB 474.<sup>2</sup> Full-time women workers earned \$716 per week in New Hampshire in 2009, compared with only \$600 per week in states with laws like HB 474.<sup>3</sup> In New Hampshire, the poverty rate in 2009 was 7.8 percent. In states with laws like HB 474, the poverty rate is nearly twice as high at 14.5 percent.<sup>4</sup> Our state also has the lowest workplace fatality rate in the nation - 1.0 deaths per 100,000 workers, compared with 5.4 deaths per 100,000 workers in states with Right to Work policies. And during these difficult economic times, New Hampshire's unemployment rate has been lower than states with policies like Right to Work.

HB 474 will also harm our state's small businesses. As good jobs with good wages and benefits disappear, working families will have less money to spend in small businesses in the community.

While New Hampshire working families are doing better than those in states with laws like HB 474, we do have room for improvement. We do need to strengthen New Hampshire's economy and make sure it works for all state residents. We need to focus on economic development that creates jobs. Weakening our unions will not help accomplish these goals. Instead of boosting the economy, HB 474 would take us in the wrong direction.

During the last 20 years, bi-partisan legislative majorities have wisely rejected bills similar to HB 474. This legislation is bad for workers, bad for labor-management relations, and bad for our economy. I urge you to vote HB 474 Inexpedient to Legislate.

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<sup>1</sup> BUREAU OF LABOR STATISTICS, QUARTERLY CENSUS OF EMPLOYMENT AND WAGES

<sup>2</sup> U.S. CENSUS BUREAU

<sup>3</sup> BUREAU OF LABOR STATISTICS, CURRENT POPULATION SURVEY

<sup>4</sup> U.S. CENSUS BUREAU



# The State Employees' Association of New Hampshire, Inc.

Service Employees International Union, Local 1984

CTW, CLC

TESTIMONY OF DIANA LACEY, PRESIDENT  
STATE EMPLOYEES' ASSOCIATION OF NH, SEIU LOCAL 1984  
LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, REPRESENTATIVES HALL  
HB 474-FN

February 3, 2011

Good Morning, my name is Diana Lacey and I am the president of the State Employees Association of New Hampshire. I am native to New Hampshire and I've been a state employee more than 20 years. I was recently elected by my peers to be their new union President. I carry with me the collective voices of more than ten thousand lower and middle class workers employed by New Hampshire's state, county, municipal and private sector employers. I know I don't meet the old image of "Union boss" that's been mischaracterized for decades; I am just a person who cares passionately for thousands of good, decent people. I refer to them as my sisters and brothers, and my bond with them is strong. I am here today testifying in opposition to HB474.

This so called "Right to Work Act" is about anything but an individual's right. It is more appropriate to call it the "Right to Government Interference Act," the "Silence Workers Act," or the "Right to Work for Less Act." I will explain those titles after describing how one would even intersect with this law – if it were passed.

By state and federal law, workers have the right to form a union for collective bargaining if a majority of employees choose to be represented and can show there is a community of interest in the workplace. This represents the first step in a democratic process that recognizes the individual worker through their individual right to choose collective bargaining representation or not.

The process determines whether a union, for collective bargaining representation, is formed. If it is, employees and their employer begin negotiating and hopefully reach a tentative agreement. Then employees vote and if the majority approves of the deal, the contract is ratified. In essence, the business owner has agreed to certain terms that its employees want, and vice versa.

Because unions are mandated by law to represent and provide services to all of the workers covered by a contract, some business owners agree that all employees should pay the costs for covered services, even if the employee does not ever want to join the union. **Employers that agree to this kind of provision do so because they recognize the value and fairness of employees sharing the cost of services they receive by law.**

This is a completely democratic process and one that business owners, as well as public employers, have the freedom to enter into with their employees right now.

HB474 brings another level of government interference to the business owner-employee relationship, supposedly because an individual employee might not like what their employer and co-workers agreed to. While I am a fan of individual rights, I am also a fan of personal responsibility and know that any

employee – if they did not like the conditions of their employment – has the individual right and personal freedom to leave that job and find another one.

If HB474 passes, we should all ask ourselves – what’s next? Will this legislature mandate that employers and their employees cannot agree on days off, work schedules, health insurance?

**Supporters of this bill may claim the real issue is freedom of association** and I contend that the freedom is already there and is honored by state and federal law. Workers who do not want to join a union can NEVER be forced to join the union. But for those workers who want that association, want to find their collective voice, they can.

**HB474 – the Silence Workers’ Voices Act – contains a hidden goal that cannot be publicly revealed through a clear and transparent title.** Its goal is cleverly packaged – by its misleading title and thought provoking language – because it is not politically correct for sponsors to say they want to silence workers voices by eroding their unions. Authors of these bills know they are silencing workers’ voices -- which are expressed through their freedom of association rights – by violating the contracts between business owners and employees, by invalidating “fair share” provisions, and by ultimately increasing the cost of union membership. This goal is especially important to big corporations, who would like nothing more than to further weaken the middle class. It's not right for politicians to attack middle-class workers, their unions and their employers, while CEOs and Wall Street are making record profits. Going after struggling workers, instead of reining in the big banks and corporations who wrecked our economy, is the wrong priority.

**“Right to Work for Less” bills are devastating to workers and their local economies.** In states where these bills have been passed, wages are on average \$5,000 lower than states that don’t. We can’t afford for hundreds of thousands of workers to make \$5,000 less a year -- just think what will happen to small businesses that rely on consumer spending to thrive. What will happen to our public assistance programs that are already bursting at the seam with people on the edge of poverty? And what happened to the legislative majority’s promise to restore NH’s economy?

We have to focus on growing good jobs, not shrinking them. We should not be closing doors on options that businesses and their employees have to work together and grow. Proponents of Right to Work bills will say this law encourages more companies to come to New Hampshire, and bring their jobs with them. I challenge that assertion and ask you to join me in countering it with a key business concept – competition. Business owners need doors opened for them to compete; it’s preposterous to think closing a door increases that ability. It is a red herring – a distraction – when our focus should be on good jobs, not government interference. We elected Republicans to work together with the Democrats to create jobs and improve the economy. This should be their first priority, not attacking union workers.

HB474 must be stopped; New Hampshire is better and smarter than this. It is wrong on so many levels. I ask that you vote ITL on HB474 out of respect and honor for the hundreds of employers and thousands of workers who have private agreements on how they will manage their business relationships. Employers have good reasons for agreeing to “fair share” clauses in contracts – the government should not interfere.

Thank you for your time and I will be happy to take any questions you have.



## Committee on Labor, Industrial and Rehabilitation Services

Gary L. Daniels, Chairman

Honorable Gary Daniels:

I respectfully request that this written testimony be entered into consideration for HB 474.

I attended the hearing at Representative's Hall on February 4, 2011, and realized how woefully ill prepared I was in researching the ramifications of this bill.

My observation concluded that the opponents of HB101 manipulate their vilification of "Big Business" (Corporations, Financial Wall Street) and the "workers" the "little guys" as victims and slaves of their "employers". Improvement in lifestyle and financial gain is only due to membership in the unions.

The research indicates the following:

**United States Department of Labor: Office of Labor Management Standard**  
**[http://www.dd.gov/olms/reg/compliance/enforce\\_2010.htm](http://www.dd.gov/olms/reg/compliance/enforce_2010.htm)**

### **Criminal Enforcement Actions:**

- **2010 (28 Pages – Attached to this report A)**
- **2009 (25 pages)**
- **2008 (24 Pages)**
- **2007 (23 Pages)**
- **2006 (30 Pages)**
- **2005 (21 Pages)**
- **2004 (22 Pages)**
- **2003 (31 Pages)**
- **2002 (31 Pages)**
- **2001 (13 Pages – Attached to this report B)**

Due to time constraints, the print outs were for the 2010 and 2001 periods. The source has been supplied for those who would like to confirm these findings. There have been consistent Criminal Actions on the part of Unions and their representatives. Unethical and deceitful practices seem the "Norm", and raises the question: Do they *really* look out for their members, or are they interested in an ever-increasing base to gain power and control?

Outrageous salaries and bonuses of the CEO's of the "**Corporations**" were touted as being "criminally excessive" and ridiculously elevated. No one brought up the salaries of the Union Bosses. The "perks" they receive with the dues obtained from membership in their unions.

Remember that the Unions are a NON-Profit organization. They do not create wealth. Yet, as you can observe from the list, Andrew Stern of the SEIU, records his salary at \$249,599. I ask how Mr. Stern generated these funds, if unions are not allowed to donate "membership dues" under the law to political campaigns? A sum of \$27 Million dollars was donated to a political campaign in 2009, and then \$65 million in 2005. **A very impressive amount!** Where are the funds coming from? Corporations are mandated by the IRS to submit income tax documents: their salaries are public knowledge. Are Unions under the same scrutiny?

Fortune Magazine has an article called "The New Face of Labor: (Article D) that details the "power of persuasion" of Andy Stern. His tactics as well as those of other Union Bosses have left Americans with a sense of distrust for Unions. Richard Trumka's violent tactics in the past and his association with the Communist Party is further confirmation that the Union Members are pawns in an effort to grab power and control of the free market system. A further confirmation of the link between Unions and the Communist Party is in "St. Louis: 7<sup>th</sup> Annual Working class media & democracy forum" (Article E)

The law that gives the Unions the ability to negotiate for members and non-union members is a ploy. They object that non-paying employees get the "benefits" without paying their "fair" share. It is just a step towards complete domination in a work place that will continue to "nudge" and then intimidate non-union members to succumb to pressure and force "membership".

The Ludwig von Mises Institute : The Myth of Voluntary Unions (Article F) is presented for your consideration.

Along the same lines of Union Intimidation Tactics is submitted on behalf of Frank Cannon, and employee of C.J. Coakley Company, Inc., a member of ABC's Virginia chapter, testifying at a hearing held by the Senate Republican Conference and the Republican Policy Committee on the "card check" legislation and the results of these actions should they be approved.

Marc Comptois in "Union" intimidation Tactics: An Extreme Example" (Article G), posts a NOTICE to EMPLOYEES AND MEMBERS outlining prohibited practices. The cleverly disguised message is the opposite of what has happened in the past.

***Our Federal Government is now actively engaged in forcing companies to join the unions, because it will give employees a "fair" chance, and higher wages.*** (Article H). It is eerily similar to the "mafia" methods. A couple of people come to your store, and tell you that they will "protect" you for a price. The owner adamantly refuses, and tells these men to leave and not to come back! The next thing you know, the windows of the store have been damaged, the shop is ransacked, and the owner roughed up. He has been made an "offer" he could not refuse. In the case of Government, the company gets a visit from perhaps the "Health" Board. Perhaps "OSHA" or an audit from the IRS is generated and various other governmental "departments" visit your work place. It is the SAME approach. The wolf has been put in charge of the henhouse.

The last point to be made is this: Government employees should NEVER be unionized. They are to guarantee that the Government (both at the Federal and State level) remains STABLE and ensure that systems work throughout any emergency. Our history indicates with past experiences that Government workers can bring the country to a halt, and cripple not only the economy, but put

Citizens in jeopardy. Transportation can be crippled! Banks closed! Utilities cut off! There are many scenarios that could take place. This should not be! The Government works FOR the PEOPLE. At present the PEOPLE are working for the GOVERNMENT and giving up more of their freedoms and salaries. ***This is simply legal plunder***, as Frederic Bastiat described; by any other name ***extortion!***

I urge you to support HB474. Send a message to the Federal Government: We in NH want "The Right to Work" without being forced into joining Unions to provide for ourselves and our families. If the Unions are that much of a positive influence, people will join without being coerced!

A

## Office of Labor-Management Standards (OLMS)

### **Criminal Enforcement Actions 2010**

An **indictment** is a formal accusation or charge based on a finding by a Grand Jury that it is likely that the person charged committed the criminal offense described in the indictment and is the means by which an accused person (defendant) is brought to trial. An indictment raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

An **information** is a formal accusation of a crime by a government attorney rather than a Grand Jury. An information raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

A **charge** is an accusation of criminal activity and raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

Each **count** is a separate and distinct offense charged in an indictment or information.

A **guilty plea** is a defendant's admission to the court that he or she committed the offense charged and an agreement to waive the right to a trial.

A **conviction** is a judgment based on a jury's verdict, judge's finding, or the defendant's admission that the defendant is guilty of the crime charged.

A **sentence** is a judicial determination of the punishment to be imposed on an individual who has plead guilty or has been convicted by a jury or judge of a criminal offense.

**On December 29, 2010**, Phillip Akins, former Financial Secretary and Treasurer of Mine Workers Local 1987 (located in Jasper, Ala.), was indicted on one count of embezzlement for an amount more than \$9,500. The indictment follows an investigation by the OLMS Nashville District Office.

**On December 28, 2010**, in the United States District Court for the Middle District of Alabama, an information was filed against Christy Nicole Freeman, former Treasurer of International Brotherhood of Electrical Workers (IBEW) Local 780 (located in Eufaula, Ala.), charging her with making a false entry in a record required to be kept under the LMRDA, in violation of 29 U.S.C. 439(c). The charge follows an investigation by the OLMS Nashville District Office.

**On December 28, 2010**, in the United States District Court for the Middle District of Alabama, an information was filed against Katherine Nannette Jones, a former employee of IBEW Local 780 (located in Eufaula, Ala.), charging her with making a false entry in a record required to be kept under the LMRDA, in violation of 29 U.S.C. 439(c). The charge follows an investigation by the OLMS Nashville District Office.

**On December 27, 2010**, an indictment was filed in the Franklin County (Ohio) Court of Common Pleas against David Russi, former Columbus Chapel Vice President of Graphics Communications Conference of the International Brotherhood of Teamsters (GCC/IBT) Local 128N (located in Columbus, Ohio), for one count of theft in the fourth degree. The indictment follows an investigation by the OLMS Cincinnati District Office.

**On December 22, 2010**, in the United States District Court for the Southern District of Florida, an information was filed against James Drury, former Secretary-Treasurer of Communications Workers of America (CWA) Local 3121 (located in Hialeah, Fla.), charging him with embezzling union funds between December 2005 and March 2009 in the amount of \$306,757.53. An arraignment was held on December 27, 2010. The charges follow a joint investigation by the OLMS Miami Resident Office (Atlanta District Office) and the Department of Labor's Office of Inspector General.

**On December 20, 2010**, Gloria Porter, former Secretary-Treasurer of the National Federation of Federal Employees (NFFE) IAM Army Military Council (AMC) and former President of NFFE Local 2049 at White Sands Missile Range (located in Las Cruces, N.M.), was indicted in the United States District Court for the District of New Mexico on 105 Counts of 18 U.S.C. 1343 (Wire Fraud), one count of 18 U.S.C. 1341 (Mail Fraud), and one count of 18 U.S.C. 1028(a)(1) (Aggravated Identity Theft). The indictment follows an investigation by the OLMS Denver District Office.

**On December 17, 2010**, in the United States District Court for the Central District of Illinois, James Correll, former President of the Security, Police, and Fire Professionals of America (SPFPA) Local 238 (located in Morrison, Ill.), was sentenced to two years of probation with the first six months to be served in home detention and was ordered to pay restitution in the amount of \$22,286. On August 19, 2010, Correll pled guilty to one count of embezzling union funds. The sentencing follows an investigation by the OLMS Chicago District Office.

**On December 15, 2010**, in Anoka County (Minnesota) District Court, Brenda Olson, former office secretary for Carpenters Local 851 (located in Anoka, Minn.), was charged with theft of over \$5,000. The complaint alleges that Olson stole union funds in the amount of \$19,350.31. The charge follows an investigation by the OLMS Milwaukee District Office.

**On December 15, 2010**, in the United States District Court for the Eastern District of Wisconsin, Paula Dorsey, former President of American Federation of State, County and Municipal Employees (AFSCME) District Council 48 (located in Milwaukee, Wis.), was sentenced to three years probation and was ordered to pay restitution in the amount of \$180,000. On August 11, 2010, Dorsey pled guilty to one count of embezzling union funds. The sentencing follows an investigation by the OLMS Milwaukee District Office.

**On December 15, 2010**, in the United States District Court for the Eastern District of Kentucky, Connie Ball, former Secretary-Treasurer of Bakery and Tobacco Workers Local 531 (formerly located in London, Ky.), pled guilty to one count of embezzling union funds in the amount of \$7,754. Sentencing is scheduled for April 7, 2011. The plea follows an investigation by the OLMS Cincinnati District Office.

**On December 13, 2010**, in United States District Court for the District of Columbia, Jo Ann Duffy, former Project Organizer for the Teamsters (located in Washington, D.C.), was sentenced to 36 months probation, 50 hours of community service, and counseling for gambling. Duffy was also ordered to pay restitution of \$13,738 to the bonding company at \$50 per month. On September 1, 2010, Duffy pled guilty to one count of embezzlement from a labor organization for embezzling \$13,738 from the union in violation of 29 U.S.C. 501(c). The sentencing followed an investigation by the OLMS Washington District Office.

**On December 10, 2010**, in the United States District Court for the Western District of Washington, an information was filed charging Poutoa Tuiolemotu, former Treasurer of Glass Molders Local 50, with embezzlement of union funds, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Seattle District Office.

**On December 10, 2010**, in the United States District Court for the Western District of Washington, an information was filed charging Kim Hirschhorn, former Treasurer of Postal Workers Local 709, with embezzlement of union funds, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Seattle District Office.

**On December 9, 2010**, in the United States District Court, Trenton, New Jersey, Shawn Clark, former Business Agent of Carpenters Local 455 (located in Somerville, N.J.), was sentenced to 28 months incarceration and three years supervised release. Clark was also ordered to make restitution for an amount between \$72,000 and \$102,000, which will be determined by the Honorable Judge Thompson. On May 17, 2010, in a trial held in the United States District Court, Trenton, New Jersey, jurors found Clark guilty on 15 counts of embezzling union funds and conspiracy to improperly spend Local 455's funds for his own personal use and the use of others during the approximate period between December 2000 and December 2007, in violation of LMRDA Section 501(c) and Title 18 U.S.C., Section 371. Clark used an American

Express credit card issued to the union to make more than 450 charges totaling more than \$65,000 at 14 different gentlemen's clubs in central New Jersey. The sentencing follows an investigation by the OLMS Newark Resident Investigator Office.

**On December 7, 2010**, in the Superior Court of the District of Columbia, Tamara Schultz, former Benefits Coordinator for the National Treasury Employees Union (NTEU) (located in Washington, D.C.), pled guilty to one count of first degree theft for wrongfully obtaining and using property of a value of \$1,000 or more from NTEU. Following the plea, Schultz was sentenced to 90 days in jail (suspended), one year unsupervised probation, and she was ordered to pay a \$50 special assessment fee. The plea and sentencing follow an investigation by the OLMS Washington District Office.

**On December 6, 2010**, in the United States District Court for the District of Nevada, Mark Winfield Tracy, former Secretary-Treasurer of Teamsters Local 533 (located in Reno, Nev.), pled guilty to one count of embezzling union funds. On March 3, 2010, Tracy was indicted on one count of embezzling \$125,000 in union funds, one count of filing false Form LM-2 reports, one count of falsifying union records, and one count of willfully concealing and/or destroying union records. Sentencing is scheduled for March 7, 2011. The plea follows an investigation by the OLMS San Francisco District Office.

**On December 2, 2010**, in the United States District Court for Minnesota, Cory Carroll, former Secretary-Treasurer of the Brotherhood of Locomotive Engineers, Regional and Shortline General Committee of Adjustment (located in Albert Lea, Minn.), was sentenced to five years probation, and required to submit to two random periodic drug tests, supply a DNA sample, and refrain from gambling and using alcohol or other controlled substances. Carroll was also ordered to pay restitution of \$35,362.41 and a \$100 special assessment fee. The sentencing follows an investigation by the OLMS Milwaukee District Office.

**On December 2, 2010**, in the United States District Court for the Eastern District of Arkansas, Dan Cassidy, former Clerk Craft Director of American Postal Workers Union (APWU) Local 189 (located in Little Rock, Ark.), was sentenced to one year of probation, 40 hours of community service, and was ordered to pay a \$200 assessment. On August 3, 2010, Cassidy pled guilty to wire fraud in violation of 18 U.S.C. 1343, a Class C Felony. The sentencing follows an investigation by the OLMS Dallas District Office and the United States Postal Service Office of Inspector General.

**On November 30, 2010**, in Dakota County District Court of Minnesota, Jonathan David Thompson, former Secretary-Treasurer of Locomotive Engineers and Trainmen (BLET) Division 333 (located in Rosemount, Minn.), was sentenced to 364 days in jail (361 were stayed and a credit of three days was given for three days served) and two years probation for financial transaction card fraud of over \$2,500. Thompson was ordered to perform 40 hours of community service, pay \$455 in court related fees, supply a DNA sample, and write a letter of apology to Division 333. Thompson was also ordered to pay restitution of \$11,841.76 to Division 333 and to pay \$9,650.93 to Fidelity and Deposit Company of Maryland. On September 17, 2010, Thompson pled guilty to one felony count of financial transaction card fraud of over \$2,500. The sentencing follows an investigation by the OLMS Minneapolis Resident Investigator Office.

**On November 29, 2010**, in the United States District Court for the Northern District of Illinois, Mozelle E. Means-Swanson, former President of American Postal Workers Union (APWU) Local 7139 (located in Aurora, Ill.), was sentenced to two years probation, and she was ordered to make restitution of \$3,340. On September 1, 2010, Means-Swanson pled guilty to one count of willfully failing to maintain union records so that her theft of union funds would go undetected. The sentencing follows an investigation by the OLMS Chicago District Office.

**On November 23, 2010**, in the United States District Court for the Eastern District of Wisconsin, Nickolas Weihert, former Financial Secretary of Steelworkers Local 4845 (located in Waukesha, Wis.), pled guilty to three counts of embezzling union funds in the amount of \$450.00. Weihert admitted that he embezzled \$17,256. He was ordered to make restitution to Local 4845 and to pay a \$5,000 fine. Weihert is scheduled to be sentenced on March 8, 2011. The charge follows an investigation by the OLMS Milwaukee District Office.

**On November 22, 2010**, in the Superior Court of the District of Columbia, a criminal complaint was filed charging Tamara Schultz, former Benefits Coordinator for the National Treasury Employees Union (NTEU) (located in Washington, D.C.), with one count of first degree theft for wrongfully obtaining and using property of a value of \$1,000 or more from NTEU. The charge follows an investigation by the OLMS Washington District Office.

**On November 22, 2010**, in the United States District Court for the Northern District of Illinois, Frank Kmiec, former Secretary-Treasurer of Brotherhood of Maintenance of Way Employees Division (BMWED) Local 2857 (located in Genoa City, Wis.), pled guilty to making false entries in the local's cash record book, check register, and quarterly audit reports thereby misrepresenting the balance of the local's bank account. In pleading guilty, Kmiec admitted to embezzling approximately \$19,461.39 in Local 2857 funds. An information was previously filed on November 2, 2010. The guilty plea follows an investigation by the OLMS Chicago District Office.

**On November 19, 2010**, in the United States District Court of the Western District of Missouri, Tammy Allen, former Secretary-Treasurer of Retail, Wholesale, Department Store Union (RWDSU) Local 184L (located in Kansas City, Kans.), was indicted on one count of bank fraud in violation of 18 U.S.C. 1344 totaling \$45,766.81. The indictment follows an investigation by the OLMS Kansas City Resident Investigator Office.

**On November 17, 2010**, in the United States District Court for the Western District of Pennsylvania, Antonio Jordan, former Secretary-Treasurer of Communications Workers of America (CWA) Local 38187 (located in Erie, PA), was sentenced to four years probation and he was ordered to pay restitution of \$5,778.01 and a \$100 special assessment fee. The sentencing follows an investigation by the OLMS Pittsburgh District Office.

**On November 17, 2010**, in the United States District Court of the Western District of Wisconsin, Shari Birch, former Treasurer of American Federation of State, County, and Municipal Employees (AFSCME) Local 1760-A (located in Superior, WI), was indicted on 21 counts of embezzlement from Local 1760-A totaling \$16,737.54. The indictment follows an investigation by the OLMS Minneapolis Resident Investigator Office and the Superior Police Department.

**On November 16, 2010**, Lonnie Stevans, former Secretary-Treasurer of the Hofstra University Chapter of the American Association of University Professors (AAUP), was arraigned in the Eastern District of New York following an information charging Stevans with filing a false report with the Department of Labor in violation of 29 USC 439(b). The charge follows an investigation by the OLMS New York District Office.

**On November 15, 2010**, in the United States District Court for the Southern District of Texas, Frankie L. Sanders, former Southern Regional Coordinator of the Southern Region of the American Postal Workers Union (APWU) (located in Houston, Tex.), was found guilty of embezzling union funds. On March 17, 2010, Sanders was indicted on one count of wire fraud and one count of embezzling approximately \$10,078 in union funds. The charge for wire fraud remains pending. The verdict follows an investigation by the OLMS Houston Resident Investigator Office.

**On November 12, 2010**, in the United States District Court for the Northern District of Texas, Freida Carter-London, former Office Manager of Carpenters Local 1421 (located in Arlington, TX), pled guilty to embezzling \$99,178 in union funds in violation of 29 U.S.C. 501(c). Sentencing is scheduled for February 25, 2011. The guilty plea follows an investigation by the OLMS Dallas District Office.

**On November 9, 2010**, in the United States District Court for the Western District of Virginia, Elizabeth George, the former Recording Secretary and Disaster Relief Benefits Committee Member of Steelworkers Local 9336 (located in Radford, VA), pled guilty to counts 1 and 19 of a February 19, 2002 indictment. Specifically, she pled guilty to Conspiracy to Embezzle Union Funds and to Making False Entries in Union Records, in violation of 18 U.S.C. 371 and 29 U.S.C. 439(c). George agreed to make restitution of \$4,275.56. George was denied bond due to the eight years she spent evading capture. She will remain in prison until her sentencing on January 28, 2011. The plea follows a joint investigation by the OLMS

Pittsburgh District Office and the Department of Labor's Office of Inspector General.

**On November 8, 2010**, in the United States District Court of Massachusetts, Stanley Barringer, former Vice President and acting Treasurer of American Federation of Government Employees (AFGE) Local 3707 (located in Chicopee, MA), was charged in an information with falsifying and concealing a material fact on reports filed with the U.S. Department of Labor in order to conceal his misappropriation of approximately \$22,180.00 of Local 3707 funds. The information follows an investigation by the OLMS New Haven Resident Office.

**On November 5, 2010**, in the United States District Court for the Middle District of Florida, Karl L. Youngerman, former President of Glass, Molders, Pottery, Plastics & Allied Workers (GMP) Local 208 (located in Bradenton, FL), pled guilty to conspiracy to embezzle funds from a labor union, in violation of 18 U.S.C. 371. Youngerman agreed to pay restitution of \$18,218.91 to Zurich North America. Sentencing is scheduled for January 27, 2011. The plea follows an investigation by the OLMS Tampa Resident Investigator Office.

**On November 5, 2010**, in the Mower County Minnesota District Court, Dustin Heichel, former General Chairman of the Brotherhood of Locomotive Engineers and Trainmen Regional and Shortline General Committee of Adjustment (BLET GCA) (located in Albert Lea, MN), was sentenced to four years probation for theft of \$1,562.12, and he was ordered to pay restitution in the same amount, to write a letter of apology, and to not hold a position of financial responsibility. On September 30, 2010, Heichel pled guilty to gross misdemeanor theft by false representation in the amount of \$1,562.12. The sentencing follows an investigation by the OLMS Milwaukee District Office and OLMS Minneapolis Resident Investigator Office.

**On November 3, 2010**, in the United States District Court for the District of Nevada, Hugo Vargas, former Secretary Treasurer of International Association of Machinists (IAM) Lodge 845 (located in Las Vegas, NV), was sentenced to 13 months in prison followed by three years supervised release, and he was ordered to pay restitution in the amount of \$106,293.59 and an assessment fee of \$100. On August 2, 2010, Vargas pled guilty to one count of embezzling union funds. The sentencing follows an investigation by the OLMS San Francisco District Office.

**On November 3, 2010**, in the United States District Court of New Jersey, John McGovern, former Secretary Treasurer of American Postal Workers Union (APWU) Local 190 (located in Clifton, NJ), pled guilty to violations of 29 U.S.C. 501(c) and 18 U.S.C. 371. McGovern admitted that he conspired with former Local 190 President Gary Weightman to embezzle between \$120,000 and \$200,000 in union funds. Weightman, as a result of a plea agreement, has already pled guilty to criminal tax evasion and is awaiting sentencing. The guilty plea follows an investigation by the OLMS New York District Office, in conjunction with the U.S. Attorney's Office, and with the aid of the U.S. Postal Inspection Service.

**On November 2, 2010**, in the United States District Court for the District of New Mexico, Fidel Garza, former President of American Federation of Government Employees Local 2063 (located in Albuquerque, NM), was sentenced to four months in prison, three years of supervised probation, and four months of home confinement, and he was ordered to make restitution in the amount of \$77,457.89 and pay a \$100 special assessment. Garza was also ordered to participate in a substance abuse program and barred from holding any position where he has fiduciary responsibility. Garza pled guilty to one count of 18 U.S.C. 1343 (wire fraud). The sentencing follows an investigation by the OLMS Denver District Office.

**On November 2, 2010**, in Circuit Court for the City of Chesapeake, Virginia, Larry Brooks, former President of Steelworkers Local 8-543 (located in Hampton, Va.), was indicted on one count of embezzlement having a value of \$200 or more in violation of Section 18.2-111 of the Code of Virginia. The indictment follows an investigation by the OLMS Washington District Office.

**On October 28, 2010**, in the United States District Court for the Western District of Michigan, Robbin R. Wolff, former Bookkeeper of Auto Workers Local 383 (located in Benton Harbor, MI), was sentenced to 24 months of imprisonment for embezzling union funds and 12 months of imprisonment for falsifying union records; the time is to be served concurrently. Upon release from imprisonment, Wolff will be on



supervised release for a period of two years for the former offense and one year for the latter offense; the time is to be served concurrently. Wolff was ordered to pay restitution of \$200,397.69 and a special assessment of \$125. The sentencing follows an investigation by the OLMS Detroit District Office.

**On October 28, 2010**, in the United States District Court for the Northern District of California, Curtis Iwatsubo, former Secretary-Treasurer of Glass, Molders, Pottery, Plastics & Allied Workers (GMP) Local 52, was sentenced to 10 months in prison for embezzling union funds of more than \$47,000. He was ordered to pay restitution of \$38,434 and a \$100 special assessment. On May 26, 2010, Iwatsubo pled guilty to one count of embezzlement of union funds. The sentencing follows an investigation by the OLMS San Francisco District Office.

**On October 26, 2010**, in the United States District Court for the Northern District of Illinois, William Dugan, former President and Business Manager of Operating Engineers Local 150 (located in Countryside, IL), was sentenced to three years probation and ordered to pay a fine of \$30,000, an assessment of \$25, and the cost of probation on a monthly basis. Special conditions of supervision also require Dugan to file appropriate Form LM-30 reports. On March 22, 2010, Dugan pled guilty to one count of receiving a thing of value from a signatory employer. The sentencing follows a joint investigation by the OLMS Chicago District Office, FBI, and DOL OIG.

**On October 26, 2010**, in the United States District Court, Northern District of Ohio, Robert Rybak, former Business Manager for Plumbers Local 55 (located in Cleveland, OH), pled guilty to multiple charges including embezzlement in the amount of \$12,321.03, conspiracy to obstruct justice, and Hobbs Act violations. Rybak was previously indicted on multiple counts on September 14, 2010. The guilty plea follows a joint investigation by the OLMS Cleveland District Office, DOL OIG, and FBI.

**On October 26, 2010**, in the United States District Court for the Central District of Illinois, Kevin Hunt, former Secretary Treasurer of the United Transportation Union (UTU) Local 198 (located in Peoria, IL), pled guilty to a one count information charging him with filing a false Form LM-3 annual financial report for fiscal year 2007. The plea follows an investigation by the OLMS Chicago District Office.

**On October 25, 2010**, in the United States District Court, Newark, NJ, Patrick Brennan, former Business Manager of Painters District Council 711 (located in Egg Harbor Township, NJ), was sentenced to six months incarceration and six months home confinement, and he was ordered to pay restitution in the amount of \$32,487.26. Brennan had previously pled guilty to embezzling \$32,487.26 of funds from Painters District Council 711, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Newark Resident Investigator Office.

**On October 25, 2010**, in the United States District Court for the Eastern District of Michigan, Oscar Gatewood, former President of Steelworkers Local 842 (located in Detroit, MI), pled guilty to one count of concealing union records. Sentencing is scheduled for January 31, 2011. The plea follows an investigation by the OLMS Detroit District Office.

**On October 22, 2010**, in the United States District Court of Massachusetts, an indictment of Stennett Bernard, Roody Lespinasse, Andy Alerte, and Manuel Nogueira (former President, Treasurer, Financial Secretary, and Recording Secretary, respectively) of Steelworkers Local 04-421 was unsealed. The indictment charged Bernard, Lespinasse, Alerte, and Nogueira with violations of Title 18, U.S.C. Code, Section 371 – Conspiracy, Title 29 U.S.C. 501(c) - Embezzlement and Theft of Labor Union Assets, and 18 U.S.C. Section 2 - Aiding and Abetting. The former officers were charged with embezzling the following approximate amounts through unauthorized checks: Bernard (\$4,320.94), Lespinasse (\$712.30), Alerte (\$551.72), and Nogueira (\$1,384.34). The indictment also includes a criminal forfeiture allegation, Title 18 U.S.C. Section 981(a)(1)(c) and Title 28 U.S.C. Section 2461(c). The indictment follows an investigation by the OLMS Boston District Office.

**On October 21, 2010**, in the United States District Court for the Northern District of Illinois, Larry White, former President of United Electrical Workers Union (UE) Local 1110 (located in Chicago, IL), was sentenced to three years probation, and he was ordered to make restitution of \$11,875 and pay a fine of

\$25. On March 29, 2010, White pled guilty to one count of making false entries in union records. The sentencing follows an investigation by the OLMS Chicago District Office.

**On October 20, 2010**, in the United States District Court for the Southern District of Ohio, Gilbert Woods, former President of Communications Workers of America (CWA) Local 84768 (located in Kettering, OH), was sentenced to five years probation and six months house arrest. He was ordered to pay restitution of \$25,465, which included \$20,000 to Travelers Insurance and \$5,465 to the union. He was also ordered to pay a special assessment of \$25. On July 21, 2010, Woods pled guilty to one count of making false entries in union records. The sentencing follows an investigation by the OLMS Cincinnati District Office.

**On October 18, 2010**, Delores Jennings, former President and acting Secretary-Treasurer of the now defunct Communications Workers of America (CWA) Local 81321 (located in Syracuse, NY), was arraigned in Syracuse City Court after a criminal complaint was filed charging her with Grand Larceny in the fourth degree and Falsifying Business Records in the first degree. The complaint alleges that Jennings took \$2,479 from her former union. The court action came as a result of an investigation by the OLMS Buffalo District Office and the Syracuse City Police Department.

**On October 15, 2010**, in the United States District Court for the Eastern District of Missouri, Aaron Hunter, former President of Firefighters Local 108-F (located in Fort Leonard Wood, MO), was sentenced to one year probation for the charge of making false statements in violation of 18 U.S.C. 1001 to conceal his embezzlement of union funds. Hunter paid restitution totaling \$30,000 prior to his sentencing. The sentencing follows an investigation by the OLMS St. Louis District Office.

**On October 15, 2010**, in Circuit Court for Arlington County, Virginia, Richard James, former President of American Federation of Government Employees (AFGE) Local 1402 (located in Arlington, VA), was sentenced to two years incarceration (all suspended), two years supervised probation, and 75 hours of community service for embezzling \$9,850 from the union in violation of Section 18.2-111 of the Virginia Code. The sentencing follows an investigation by the OLMS Washington District Office and the Arlington County Police Department.

**On October 14, 2010**, in the United States District Court for the Eastern District of Michigan, Deidra Lucas, former President of American Federation of State, County, and Municipal Employees (AFSCME) Local 100 (located in Pontiac, MI), pled guilty to one count of embezzling union funds in the amount of \$5,283.20. Lucas is scheduled to be sentenced on January 6, 2011. The plea follows an investigation by the OLMS Detroit District Office.

**On October 8, 2010**, in the United States District Court for the District of Eastern Pennsylvania, Amar Ali, former Treasurer of Brotherhood of Maintenance of Way Employees Division (BMWED) Sub-Lodge 695 (located in Baltimore, MD), was charged in a one count information with failure to maintain union records (29 U.S.C. Section 439(a)(b)). The charge follows an investigation by the OLMS Philadelphia District Office.

**On October 6, 2010**, in the United States District Court for the Eastern District of Wisconsin, Craig A. Bohn, former Financial Secretary Treasurer of Security, Police, and Fire Professionals of America (SPFPA) Local 558 (located in Green Bay, WI), was sentenced to one year probation, a \$1,500 fine, and a \$100 special assessment. Bohn previously made restitution in the amount of \$5,000. On June 18, 2010, Bohn pled guilty to two counts of creating false union records. The sentencing follows an investigation by the OLMS Milwaukee District Office.

**On October 6, 2010**, in the United States District Court for the Eastern District of Arkansas, Lance Hinerman, former President of American Postal Workers Union (APWU) Local 189 (located in Little Rock, AR), was sentenced to two years probation and a \$200 assessment. On July 6, 2010, Hinerman pled guilty to wire fraud in violation of 18 U.S.C. 1343, a Class C Felony. The sentencing follows an investigation by the OLMS Dallas District Office and the United States Postal Service - Office of Inspector General.

**On October 5, 2010**, in the United States District Court for the Eastern District of Wisconsin, an information was filed charging Nickolas Weihert, former Financial Secretary of Steelworkers Local 4845 (located in Waukesha, WI), with three counts of embezzlement totaling \$450.00. The information states that the three counts were fraudulent transactions related to an embezzlement of \$17,256. The charge follows an investigation by the OLMS Milwaukee District Office.

**On October 5, 2010**, Joseph Kerwan, Business Manager/Financial Secretary-Treasurer of Sheet Metal Workers Local Union 112 (located in Elmira, NY), was sentenced to 12 months of probation and ordered to pay a \$2,000 fine in the Western District of New York. On May 20, 2010, Kerwan pled guilty to falsification of union records. As part of the plea and sentencing, Kerwan made full restitution to his local union totaling \$6,927.55. The court action came as a result of an investigation by the Buffalo District Office.

**On October 5, 2010**, in the United States District Court for the Western District of Pennsylvania, Donald Kotouch, the former President and Business Agent of the Amalgamated Transit Union Local 1738 (located in Latrobe, PA), was charged in a two count indictment for embezzling \$18,806.27 in union funds and falsifying union records. The indictment follows an investigation by the Pittsburgh District Office.

**On October 4, 2010**, in the United States District Court for the Western District of Pennsylvania, Thomas Carrola, the former Secretary-Treasurer of IBEW Local 1919 (located in Pittsburgh, PA), was sentenced to two years probation for each of the two counts (to run concurrently) and six months home detention, and ordered to pay restitution of \$35,057 and a \$100 count assessment. Carrola pled guilty on June 1, 2010 to one count of embezzling union funds in the amount of \$35,057 and to falsifying union records. Full restitution has been made to the union. The sentencing follows an investigation by the Pittsburgh District Office.

**On September 30, 2010**, in the Mower County Minnesota District Court, Dustin Heichel, former General Chairman of the Brotherhood of Locomotive Engineers, Shortline General Committee of Adjustment (BLET GCA), located in Austin, MN, pled guilty to one count of gross misdemeanor theft and false representation in the amount of \$1,562.12. The plea follows an investigation by the Milwaukee District Office and the Minneapolis Resident Investigator Office.

**On September 29, 2010**, in the United States District Court, Southern District of Indiana, Keith Hart, former Financial Secretary of Bakery Workers Local 315G (Mt. Vernon, IN), was sentenced to six months in a work release community corrections facility and three years probation and ordered to pay restitution in the amount of \$13,904.69 and a \$100.00 special assessment. On July 6, 2010, Hart pled guilty to one count of embezzlement in the amount of \$13,904.69. The sentencing follows an investigation by the Cincinnati District Office.

**On September 28, 2010**, in the United States District Court for the Middle District of Florida, Woodrow Anderson, former Treasurer of Glass, Molders, Pottery, Plastics & Allied Workers (GMP) Local 208 (located in Bradenton, FL), was sentenced to probation for 24 months and 180 days of home confinement, and was ordered to pay Zurich North America the amount of \$2,249.96 and a special assessment fee of \$25.00. On July 1, 2010, Anderson pled guilty to making a false statement of a material fact in a report or document required to be filed with the Secretary of Labor. The sentencing follows an investigation by the OLMS Tampa Resident Office.

**On September 28, 2010**, in the United States District Court for the Middle District of Florida, Anthony Green, former Vice President and Recording Secretary of Glass, Molders, Pottery, Plastics & Allied Workers (GMP) Local 208 (located in Bradenton, FL), was sentenced to probation for 24 months and 180 days of home confinement, and was ordered to pay Zurich North America the amount of \$3,073.10 and a special assessment fee of \$25.00. On July 12, 2010, Green pled guilty to making a false entry in, or willfully concealing, withholding, or destroying any book, record, report or statement required to be kept under the LMRDA. Zurich North America paid a loss to GMP LU 208 as a result of Green's dishonest claim filed after his embezzlement. The plea follows an investigation by the OLMS Tampa Resident Office.

**On September 24, 2010**, in the U.S. District Court, District of Nevada, former Bookkeeper Cheryl Staley was sentenced to five years probation, during which time she is restricted from entering a casino without first notifying the U.S. Probation Office; ordered to attend gambling addiction classes; ordered to pay \$231,653.89 in restitution, plus 10% interest at \$200/month; and ordered to pay \$200 in court assessments. In May 2010, Staley pled guilty to embezzling union funds and causing false entries in the LM reports filed by Local 501. The sentencing follows an investigation by the OLMS Los Angeles District Office.

**On September 23, 2010**, in the United States District Court for the Eastern District of Michigan, Donald Kister, former President of National Postal Mail Handlers Local 307 (located in Detroit, MI), was charged in a two-count indictment with one count of embezzling union funds in the amount of \$4,137.35 between August 2006 and October 2007 and one count of making false statements. The indictment follows an investigation by the OLMS Detroit District Office.

**On September 23, 2010**, in Newton Massachusetts District Court, a criminal complaint was issued against Richard Dean, former Treasurer of Carpenters Local 275 in Newton, MA, charging him with 11 counts of larceny totaling \$15,374. The charge follows an investigation by the OLMS Boston District Office.

**On September 22, 2010**, in the United States District Court for the Southern District of West Virginia, Jonathan S. Deutsch, former Trustee of the West Virginia Heavy and Highway Construction Industry Fund, was indicted in a 25 count indictment of wire fraud involving approximately \$750,000 in embezzled union funds. The indictment follows a joint investigation by the OLMS Pittsburgh District Office and the DOL OIG.

**On September 21, 2010**, in the United States District Court of New Jersey, Stephen P. Arena and David Caivano, President and Recording Secretary/Secretary-Treasurer, respectively, of Novelty and Production Workers Local 148 (located in Newark, N.J.), were indicted on 29 counts of conspiracy and embezzlement of approximately \$375,000 in union funds. The charge follows an investigation by OLMS New York District Office and the Labor OIG.

**On September 16, 2010**, in Madison County (NY) court, Gail Shingler, former Treasurer of the now defunct Steelworkers Local Union 53 (located in Oneida, NY), was sentenced after entering a guilty plea to one count of Grand Larceny in the fourth degree. Shingler was sentenced to 60 days in jail after admitting to taking \$2,572 from her former local union. She made full restitution prior to her appearance in county court. The sentencing follows an investigation by the OLMS Buffalo District Office.

**On September 15, 2010**, in the United States District Court of Eastern Texas, Michael Doggett, former Financial Secretary of Carpenters Local 502 (located in Orange, Texas), was indicted on one count of embezzlement from an employee benefit plan in the amount of \$58,994, and one count of embezzlement from a labor union in the amount of \$45,043. The indictment follows an investigation by the OLMS Houston Resident Investigator Office, the Employee Benefits Security Administration and the FBI.

**On September 15, 2010**, in the United States District Court, Northern District of Ohio, Brian Wilson, former Treasurer for AFSCME Local 2804 (located in Warren, Ohio), was sentenced to three years probation and 90 days home confinement. On July 13, 2010, Wilson pled guilty to one count of embezzling union funds in the amount of \$10,500. The sentencing follows an investigation by the OLMS Cleveland District Office.

**On September 15, 2010**, in the United States District Court for the Southern District of Ohio, Ellsworth Williamson, former President of Steelworkers Local 5-1967 (located in Hamilton, Ohio), was charged with embezzling union funds in the amount of \$5,159.16. The charges follow an investigation by the OLMS Cincinnati District Office.

**On September 14, 2010**, in the United States District Court for the District of New Mexico, Joseph Chester, former President of the National Association of Air Traffic Controllers (NATC) Local ABQ (located in Albuquerque, N.M.), was indicted on 47 counts of wire fraud. The charges follow an investigation by

the OLMS Denver District Office.

**On September 14, 2010**, in United States District Court for the Northern District of Ohio, Robert W. Rybak, Business Manager and Financial Secretary of Plumbers Local 55 (located in Cleveland, Ohio), was indicted on conspiracy to obstruct justice, conspiracy under the Hobbs Act, embezzlement or theft from a labor union, embezzlement or theft from an employee benefit fund, and tampering with a witness. The indictment follows an investigation by the OLMS Cleveland District Office, Department of Labor's Office of Inspector General and the FBI.

**On September 14, 2010**, in the Hamilton County (Ohio) Court of Common Pleas, Tiffany Freeman was sentenced to two years community control and was ordered to make restitution in the amount of \$2,260. On August 6, 2010, Freeman pled guilty to three counts of forging checks belonging to Musicians Local 1 (located in Cincinnati, Ohio). The sentencing follows an investigation by the OLMS Cincinnati District Office.

**On September 14, 2010**, in the United States District Court for the Eastern District of Michigan, Jerrold King, former President of Steelworkers Local 842 (located in Detroit, Mich.), was sentenced to 36 months of probation, including 90 days of home confinement, and ordered to make restitution in the amount of \$70.06 and pay a \$25 special assessment. King previously made restitution in the amount of \$900. On June 14, 2010, King pled guilty to one count of concealing union records. The sentencing follows an investigation by the OLMS Detroit District Office.

**On September 13, 2010**, in the United States District Court for the District of South Dakota, Paul Wyatt, former Financial Secretary-Treasurer of Stage and Picture Operators (IATSE) Local 220 (located in Sioux Falls, S.D.), was sentenced to six months incarceration followed by six months of home confinement, as well as three years supervised release, and was ordered to pay restitution in the amount of \$35,023 and a special assessment of \$100. On June 23, 2010, Wyatt pled guilty to one count of embezzling union funds in the amount of \$35,023. The sentencing follows an investigation by the OLMS Minneapolis Resident Investigator Office.

**On September 3, 2010**, in the Clinton County (Ohio) Court of Common Pleas, Daniel Graves, former President of Teamsters Local 1224 (located in Wilmington, Ohio), pled guilty to persistent disorderly conduct. Graves was then sentenced to 30 days incarceration, to be suspended pending good behavior. The sentencing follows an investigation by the OLMS Cincinnati District Office.

**On September 2, 2010**, in the Superior Court of Washington County, Washington, Elizabeth Mills, former office manager of Laborers Local 901 (located in Mount Vernon, Wash), was sentenced to 20 days of incarceration and ordered to pay restitution in the amount of \$7,721. On June 18, 2010, Mills pled guilty to theft of union funds in the same amount. The sentencing follows an investigation by the OLMS Seattle District Office.

**On September 1, 2010**, in United States District Court for the District of Columbia, Joe Ann Duffy, former Project Organizer for the Teamsters (located in Washington, D.C.), pled guilty to one count of embezzling union funds in the amount of \$13,738. The plea follows an investigation by the OLMS Washington District Office.

**On September 1, 2010**, in the United States District Court for the Northern District of Illinois, Mozelle E. Means-Swanson, former President of American Postal Workers Union (APWU) Local 7139 (located in Aurora, Ill.), pled guilty to one count of willfully failing to maintain union records. On May 6, 2009, Means-Swanson was indicted on one count of embezzling union funds in the amount of \$4,900. The plea follows an investigation by the OLMS Chicago District Office.

**On August 31, 2010**, in the United States District Court for the Northern District of New York, Kelly J. Fahrenkopf, former Vice President of AFSCME, Civil Service Employees Association (CSEA) Local 316 (located in West Coxsackie, N.Y.), was sentenced to one year imprisonment followed by three years of probation and ordered to pay restitution in the amount of \$11,500. On April 20, 2010, Fahrenkopf pled guilty to one count of embezzling over \$11,500 in union funds between August 2006 and March 2007.

The plea follows an investigation by the OLMS Buffalo District Office.

**On August 30, 2010**, in the United States District Court for the Central District of California, Jimmie Leo Miles, former Secretary-Treasurer of International Brotherhood of Electrical Workers (IBEW) Local 1023 (located in Barstow, Calif.), was sentenced to one year of incarceration followed by three years of supervised release. Miles was previously ordered to pay restitution in the amount of \$93,284 to the union and \$14,466 to the Internal Revenue Service. On June 21, 2010 Miles plead guilty to embezzling union funds and filing a false tax return. The sentencing follows an investigation by the Los Angeles District Office.

**On August 27, 2010**, in the United States District Court for the District of Maine, Bernadette Beal, former President of American Federation of Teachers (AFT) Downeast Federation of Healthcare Professionals Local 5073 (located in Milbridge, Maine), pled guilty to an information charging her with embezzlement of union funds in the amount of \$25,536.91. The plea follows an investigation by the OLMS Boston District Office.

**On August 26, 2010**, in the United States District Court for the Eastern District of Kentucky, Connie Ball, former Secretary-Treasurer of Bakery Workers Local 531 (located in London, Ky.) was charged with embezzling union funds in the amount of \$7,554. The charges follow an investigation by the OLMS Cincinnati District Office.

**On August 26, 2010**, in the Mower County, Minnesota District Court, Dustin Heichel, former General Chairman of Brotherhood of Locomotive Engineers and Trainmen (BLET) Regional and Shortline General Committee of Adjustment (GCA) (located in Albert Lea, Minn.), was charged with four counts of theft by false representation totaling \$1,562.12. The charges follow an investigation by the OLMS Milwaukee District Office and Minneapolis Resident Investigator Office.

**On August 20, 2010**, in the United States District Court for the Eastern District of Michigan, Brenda Bywater, former Treasurer of American Federation of State, County, and Municipal Employees (AFSCME) Local 100 (located in Pontiac, Mich.), was sentenced to twenty-four months of probation and ordered to make restitution in the amount of \$2,920.16 and pay a \$25 special assessment. On March 2, 2010, Bywater pled guilty to one count of making false entries in union records. The sentencing follows an investigation by the OLMS Detroit District Office.

**On August 19, 2010**, in the United States District Court for the Eastern District of Texas, Barbara Gallagher, former Financial Secretary of Steelworkers Local 2-1007 (located in Howell, Mich.), pled guilty to one count of making a false statement of a material fact on the union's 2005 annual financial report. Gallagher was sentenced to sixty months of probation and ordered to make restitution in the amount of \$8,725.11 and pay a \$25 special assessment. Gallagher previously made restitution in the amount of \$855. The plea and sentencing follow an investigation by the OLMS Detroit District Office.

**On August 19, 2010**, in the United States District Court for the Central District of Illinois, James Patrick Correll, former president of the Security, Police and Fire Professionals of America Local 238 (located in Morrison, Ill.) pled guilty to an information charging him with embezzling and converting to his own use union funds in the amount of \$22,278. The plea follows an investigation by the OLMS Chicago District Office.

**On August 18, 2010**, in the United States District Court for the Southern District of Mississippi, Sharron Dixon Haynes, aka Sharron A. Haynes, former election candidate of National Association of Letter Carriers (NALC) Branch 217 (located in Jackson, Miss.), was indicted on three counts of making and causing to be made, and using and causing to be used, a false writing or document in a matter within the jurisdiction of the executive branch of the United States Government.. Haynes is alleged to have submitted a false certification of her eligibility for election to Branch 217, which she knew falsely certified that she had not served as a supervisor within two years prior to October 2008, when in fact she had served as a supervisor in May 2008. The indictment follows an investigation by the OLMS New Orleans District Office.

**On August 18, 2010**, in the United States District Court for the Southern District of Mississippi, Mechelle

Busse, aka Mechelle Singleton, former office manager of Plumbers and Pipefitters Local 568 (located in Gulfport, Miss.), was indicted on one count of embezzling union funds in the amount of \$110,117.69 between June 2005 and December 2007. The indictment follows an investigation by the OLMS New Orleans District Office.

**On August 18, 2010**, in the United States District Court for the Southern District of Mississippi, Patsy Fontenot, former International Representative for the United Food and Commercial Workers (UFCW), was indicted on one count of embezzling \$6,943.15 from UFCW Local 790C (located in Pearl, Miss.) between November 2002 and March 2006. The indictment follows an investigation by the OLMS New Orleans District Office.

**On August 11, 2010**, in the United States District Court for the Eastern District of Wisconsin, Paula S. Dorsey, former President of AFSCME District Council 48 (located in Milwaukee, Wis.) pled guilty to one count of embezzling union funds in the amount of \$532.50. On June 22, 2010, Dorsey was charged in an information with the same offense. The plea follows an investigation by OLMS Milwaukee District Office.

**On August 6, 2010**, in the Hamilton County (Ohio) Court of Common Pleas, Tiffany Freeman pled guilty to three counts of forgery on checks belonging to Musicians Local 1 (located in Cincinnati, Ohio). On December 2, 2009, Freeman was charged with five counts of forgery on checks totaling \$2,260. The plea follows an investigation by the OLMS Cincinnati District Office.

**On August 5, 2010**, in the United States District Court for the Western District of New York, Thomas Pokrywczynski, former Treasurer of the Transit Union's New York State Legislative Conference Board and former Financial Secretary-Treasurer of Transit Union Local 1342 (located in Buffalo, N.Y.), was sentenced to 24 months of incarceration, three years of supervised release, and ordered to pay restitution in the amount of \$215,527.74. On February 16, 2010, Pokrywczynski pled guilty to embezzling approximately \$71,000 from Transit Union, Local 1342 and approximately \$183,000 from the Transit Union's New York State Legislative Conference Board between January 2002 and March 2008 while serving as treasurer of both labor organizations. The sentencing follows an investigation by the OLMS Buffalo District Office.

**On August 5, 2010**, in the United States District Court for the Western District of Pennsylvania, Antonio Jordan, former Secretary-Treasurer of Communications Workers Local 38187 (located in Erie, Pa.), pled guilty to one count of embezzling union funds in the amount of \$8,767.40. The plea follows an investigation by the Pittsburgh District Office.

**On August 4, 2010**, in the United States District Court of Northern California, Duane DeJoie, former President of AFGE Local 1223 (located in Oakland, Calif.), was charged with theft and embezzlement within special maritime and territorial jurisdiction of the United States in the amount of \$5,369. The charge follows an investigation conducted by the OLMS San Francisco District Office.

**On August 3, 2010**, in United States District Court for the Eastern District of Texas, Henry George Green, Sr., former Treasurer of International Longshoremen's Association (ILA) Local 440 (located in Port Arthur, Texas), was sentenced to thirty-six months of probation and ordered to pay restitution in the amount of \$11,565.72. Green previously made restitution in the amount of repaid \$24,000.18. On February 23, 2010, Green pled guilty to one count of filing a false statement or omission on a report. The sentencing follows an investigation by the OLMS Houston Resident Investigator Office.

**On August 2, 2010**, in the United States District Court for the District of Nevada, Hugo Vargas, former Secretary Treasurer of the Machinists Lodge 845 (located in Las Vegas, Nev.), pled guilty to one count of embezzling union funds in the amount of \$106,293.59. On December 1, 2009, Vargas was charged in an indictment with the same offense. The plea follows an investigation by the OLMS San Francisco District Office.

**On July 29, 2010**, in the United States District Court for the Southern District of New York, Warren Joseph Annunziata, Fund Administrator of United Craft and Industrial Workers Union Local 91 (a union that represents school bus drivers and matrons in New York City), pled guilty to extortion. Annunziata was indicted on February 26, 2010 for extorting cash payments from employers totaling at least \$500,000.

The plea follows an investigation by the OLMS New York District Office, the Department of Labor's Office of the Inspector General, and the FBI.

**On July 29, 2010**, in the United States District Court for the District of Minnesota, Cory A. Carroll, former Secretary Treasurer of Brotherhood of Locomotive Engineers and Trainmen (BLET) Regional and Shortline General Committee of Adjustment (GCA) (located in Albert Lea, Minn.), pled guilty to one count of embezzling union funds in the amount of \$35,362.41. On April 5, 2010, Carroll was indicted for the same offense. The plea follows an investigation by the OLMS Milwaukee District Office and Minneapolis Resident Investigator Office.

**On July 28, 2010**, in the United States District Court for the Western District of Michigan, Robbin R. Wolff, former bookkeeper of United Autoworkers (UAW) Local 383 (located in Benton Harbor, Mich.), pled guilty to one count of embezzling union funds in the amount of \$200,397.63 and to one count of falsifying union records. On July 23, 2010, Wolff was charged in an information with the same offenses. The plea follows an investigation by the OLMS Detroit District Office.

**On July 28, 2010**, in the United States District Court for the Southern District of New York, Lawrence DeAngelis, former Administrator/Trustee for Communications Workers of America (CWA) Local 14170, was sentenced to twelve months in prison and fined \$3,000 for theft of union funds in excess of \$60,000. The sentencing follows an investigation by the OLMS New York District Office.

**On July 21, 2010**, in the United States District Court for the Northern District of Ohio, Jeffrey Kenney, former Secretary-Treasurer for Graphic Communications International Union (GCIU) Local 205-C (located in Youngstown, Ohio), was sentenced to four months incarceration followed by two years of supervised release including four months of electronic monitoring. On May 14, 2010, Kenney pled guilty to embezzling more than \$10,000 in union funds and filing a false report. The sentencing follows an investigation by the OLMS Cleveland District Office.

**On July 21, 2010**, in the United States District Court for the Southern District of Ohio, Western Division, Gilbert Woods, former President of Communications Workers (CWA) Local 84-768 (located in Kettering, Ohio), pled guilty to one count of making false entries in union records. The plea follows an investigation by the OLMS Cincinnati District Office.

**On July 20, 2010**, in the United States District Court for the District of Minnesota, Edward Kobe, former General Chairman, United Transportation Union General Committee of Adjustment 325 (located in Duluth, Minn.), was sentenced to three months incarceration followed by two years supervised release, and ordered to pay restitution to the UTU GCA 325 in the amount of \$16,200, restitution to the Railroad Retirement Board in the amount of \$32,778.39, a fine of \$30,000, and a \$100 special assessment. On November 30, 2009, Kobe pled guilty to one count of embezzling union funds in the amount of \$16,200. The sentencing follows a joint investigation by the OLMS Minneapolis Resident Investigator Office and the Railroad Retirement Board's Office of the Inspector General.

**On July 20, 2010**, in the United States District Court for the Eastern District of Michigan, Andrew Blackmon, former President of Steelworkers Local 842 (located in Detroit, Mich.), pled guilty to one count of falsifying union records. On June 18, 2010, Blackmon was charged with the same offense. The plea follows an investigation by the OLMS Detroit District Office.

**On July 20, 2010**, in the United States District Court for the District of Alaska, Thomas Renkes, former Executive Director of the Alaska Nurses Association (AaNA) (located in Anchorage, Alaska), was sentenced to thirty-six months of probation and ordered to pay restitution in the amount of \$22,546 and a \$2,000 fine. On April 26, 2010, Renkes was charged with embezzling union funds. The sentencing follows an investigation by the OLMS Seattle District Office.

**On July 16, 2010**, in the United States District Court for the Eastern District of Oklahoma, Daniel Gibson, former President of American Federation of Government Employees (AFGE) Local 3266 (located in Sallisaw, Okla.), was sentenced to twelve months and one day in prison followed by 24 months of supervised release probation and was ordered to make restitution in the amount of \$33,986.39 and pay a



\$100 special assessment. On March 12, 2010, an information charged Gibson with making false statements. The sentencing follows an investigation by the OLMS Dallas District Office.

**On July 15, 2010**, in the United States District Court for the Southern District of Indiana, Stacey Spalding, former bookkeeper for Teamsters Local 215 (located in Evansville, Ind.), was sentenced to one year at a work release facility and two years probation, and was ordered to pay \$29,499 in restitution to Zurich Insurance of North America and \$100 in court fees. Additionally, Spalding was ordered to make restitution in the amount of \$1,597 for money diverted from various 401(k) accounts. On May 19, 2010, Spalding pled guilty to embezzling union funds in the amount of \$29,516. The sentencing follows an investigation by the OLMS Cincinnati District Office.

**On July 13, 2010**, in the Hennepin County District Court of Minnesota, Lucy Irene Hastings, former Recording Secretary of the American Federation of Government Employees (AFGE) Local 1969 (located in Minneapolis, Minn.), pled guilty and received a stay of imposition of sentence, three years probation, and was ordered to pay restitution. On April 30, 2010, Hastings was charged with theft of union funds in the amount of \$3,328.29. The plea and sentencing follows an investigation by the OLMS Minneapolis Resident Investigator Office.

**On July 13, 2010**, in United States District Court for the District of Colorado, Peter Maisel Jr., former Treasurer of Brotherhood of Maintenance of Way Employees (BMWEE) Local 1517 (located in Pueblo, Colo.), was sentenced to five years probation and ordered to pay restitution in the amount of \$9,514.79. On April 14, 2010, Maisel pled guilty to one count of embezzling union funds. The sentencing follows an investigation by the OLMS Denver District Office.

**On July 13, 2010**, in the United States District Court for the Northern District of Ohio, Brian Wilson, former Treasurer for AFSCME Local 2804 (located in Warren, Ohio), pled guilty to one count of embezzling union funds in the amount of \$10,500. The plea follows an investigation by the OLMS Cleveland District Office.

**On July 12, 2010**, in United States District Court for the District of Western Washington, Sid Mannetti, former President of AFGE Local 1170 (located in Seattle, Wash.), was sentenced to twenty-four months of probation with six months of home confinement and ordered to pay restitution in the amount of \$50,463. On January 25, 2010, Mannetti was charged with embezzling union funds in the same amount. The sentencing follows an investigation by the OLMS Seattle District Office.

**On July 12, 2010**, in the United States District Court for the Middle District of Florida, Anthony Green, former Vice President and Recording Secretary of Glass, Molders, Pottery, Plastics & Allied Workers (GMP) Local 208 (located in Bradenton, Fla.), pled guilty to making a false entry in a record or report required to be kept under the LMRDA. Green was ordered to pay Zurich North America the amount of \$2,550.00. The plea follows an investigation by the OLMS Tampa Resident Office.

**On July 8, 2010**, in Circuit Court for Arlington County, Virginia, Richard James, former President of AFGE Local 1402 (located in Arlington, Va.), pled guilty to one count of embezzlement greater than \$200 associated with his embezzling unions funds in the amount of \$1,550. James previously made restitution in the amount of \$9,850. The plea follows a joint investigation by the OLMS Washington District Office and the Arlington County Police Department.

**On July 8, 2010**, in the United States District Court for the District of New Jersey, Joseph Moon, former President of ATU Local 1626 (located in Edison, N. J.), was sentenced to five years of supervised probation and ordered to pay a \$25 fine. Also, Moon was ordered to make restitution to Local 1626 in the amount of \$14,285. On September 10, 2009, Moon pled guilty to one count of receiving an improper loan from a labor organization. Between April of 2004 and August of 2008, Moon obtained \$14,931 in unapproved loans from the local's checking account. The sentencing follows an investigation by the OLMS New York District Office.

**On July 8, 2010**, in the United States District Court for the District of Minnesota, Steven McDeid, former President of National Association of Letter Carriers (NALC) Branch 388 (located in St. Cloud, Minn.), was

sentenced to 90 days home confinement and five years probation, ordered to make restitution in the amount of \$51,639.61, and pay a \$100 special assessment. On March 24, 2010, McDeid pled guilty to embezzling union funds in the same amount. The sentencing follows an investigation by the OLMS Milwaukee District Office and Minneapolis Resident Investigator Office.

**On July 6, 2010**, in the United States District Court, Southern District of Indiana, Keith Hart, former Financial Secretary of Bakery Workers Local 315G (Mt. Vernon, Ind.), pled guilty to embezzling union funds in the amount of \$13,904.69. On June 3, 2009, Hart was indicted on one count of embezzlement of union funds in the same amount. The plea follows an investigation by the OLMS Cincinnati District Office.

**On July 6, 2010**, in the United States District Court, Southern District of Indiana, Keith Hart, former Financial Secretary of Bakery Workers Local 315G (located in Mt. Vernon, Ind.), pled guilty to one count of embezzling union funds in the amount of \$13,904. On June 3, 2009, Hart was charged with embezzling union funds in the same amount. The plea follows an investigation by the OLMS Cincinnati District Office.

**On July 1, 2010**, in the United States District Court for the Middle District of Florida, Woodrow Anderson, former Treasurer of Glass, Molders, Pottery, Plastics & Allied Workers Local 208 (located in Bradenton, Fla.), pled guilty to making a false statement of a material fact in a report or document required to be filed with the Secretary of Labor. Anderson was ordered to pay restitution of \$2,249.96 to Zurich North America. The plea follows an investigation by the OLMS Tampa Resident Office.

**On July 1, 2010**, in Fayette County (Indiana) Superior Court, Jeff Napier, former President of UAW Local 151 (located in Connersville, Ind.), was charged in an information with three counts of theft for knowingly or intentionally exerting unauthorized control over the property of the local. The charges were filed following an investigation by the OLMS Cincinnati District Office.

**On June 29, 2010**, in the United States District Court for the District of South Dakota, Paul Wyatt, former Financial Secretary-Treasurer of Stage and Picture Operators Local 220 (located in Sioux Falls, S.D.), pled guilty to one count of embezzling union funds in the amount of \$35,022.95. On May 4, 2010, Wyatt was indicted for embezzling union funds in the same amount. The plea follows an investigation by the OLMS Minneapolis Resident Investigator Office.

**On June 25, 2010**, in the United States District Court for the District of Columbia, Caleb Gray-Burriss, Treasurer of the National Association of Special Police and Security Officers (NASPSO), was indicted on four counts of mail fraud. Gray-Burriss is alleged to have spent at least \$102,000 of pension plan funds for his personal benefit, the union, and third parties. The indictment follows a joint investigation by the OLMS Washington District Office, the Department of Labor's Employee Benefits Security Administration, and the Department of Labor's Office of the Inspector General.

**On June 24, 2010**, in Hamilton County (Ohio) Court of Common Pleas, LaDonna Turner was sentenced to three years probation, and was ordered to undergo random drug screening and make restitution in the amount of \$15,800. On June 3, 2010, Turner pled guilty to three counts of forgery concerning checks belonging to Musicians Local 1 (located in Cincinnati, Ohio). The sentencing follows an investigation by the OLMS Cincinnati District Office.

**On June 24, 2010**, in the United States District Court for the Northern District of Illinois, Pamela Williams, former travel procurement coordinator of SEIU Local 880 (located in Chicago, Ill.), was sentenced to five years probation, five months of electronic monitoring/home confinement (except for work), and ordered to pay restitution in the amount of \$6,080.06. Also, Williams was ordered to perform 300 hours of community service and pay a special assessment of \$100. On March 25, 2010, Williams pled guilty to embezzling union funds in the amount of \$6080.06. The sentencing follows an investigation by the OLMS Chicago District Office.

**On June 23, 2010**, in the United States District Court for the Northern District of Indiana, Richard D. Schwab, former Secretary-Treasurer of UTU Local 298 (located in Fort Wayne, Ind.), was sentenced to two years probation and six months electronic monitoring, and he was ordered to pay restitution in the amount of \$4,719.57 and a special assessment off \$100. Schwab previously made restitution in the

amount of \$42,009. On February 25, 2010, Schwab pled guilty to embezzling union funds in the amount of \$46,728. The sentencing follows an investigation by the OLMS Chicago District Office.

**On June 23, 2010**, in United States District Court for the District of Alaska, Kevin McGee, former President of AFGE Local 3028 (located in Anchorage, Alaska), was sentenced to eighteen months of probation with thirty days of home confinement, and ordered to pay a \$2,400 fine in addition to a restitution payment of \$2,400. On February 26, 2010, McGee pled guilty to making a false representation in a federal form. The sentencing follows an investigation by the OLMS Seattle District Office.

**On June 22, 2010**, in the 22ND Judicial District Court of Washington Parish, Louisiana, Keith Knight, former Secretary Treasurer of Steelworkers Local 13-1362 (located in Bogalusa, La.), was sentenced to three years of supervised probation, and was ordered to pay \$43,000 restitution, a fine of \$500, monthly supervision fees, and court fees. On June 22, 2010, Knight pled guilty to theft over \$500. The sentencing follows an investigation by the OLMS New Orleans District Office and the Louisiana State Police.

**On June 22, 2010**, in the United States District Court for the Eastern District of Wisconsin, an information was filed charging Paula S. Dorsey, former President of AFSCME District Council 48 (located in Milwaukee, Wis.), with one count of embezzlement of funds in the amount of \$532.50. The charge follows an investigation by the OLMS Milwaukee District Office.

**On June 21, 2010**, in the United States District Court for the Central District of California, Jimmie Leo Miles, former Secretary-Treasurer of International Brotherhood of Electrical Workers (IBEW) Local 1023 (Barstow, Calif.), pled embezzling union funds and filing a false tax return. As part of his plea, Miles must pay \$93,284 in restitution to the union and \$14,466 to the IRS, file amended tax returns, and pay the cost of prosecution. The plea follows an investigation by the OLMS Los Angeles District Office.

**On June 18, 2010**, in the state of Washington, county of Skagit, Elizabeth Mills, former bookkeeper of the Laborers Local 901 (located in Mount Vernon, Wash.), was charged with theft in the first degree of funds in the amount of \$7,721. The charge follows an investigation by the OLMS Seattle District Office.

**On June 18, 2010**, in the United States District Court for the District of Columbia, a criminal information was filed charging former Teamsters Organizer Joe Ann Duffy with one count of embezzling union funds in the amount of \$13,738. The information follows an investigation by the OLMS Washington District Office.

**On June 18, 2010**, in the United States District Court for the Southern District of Iowa, John A. Mannenga, former Recording Secretary-Treasurer of Railroad Signalmen Local 98 (located in Norwalk, Iowa), was sentenced to four months of home confinement, three years of supervision, and restitution of \$5,242.60 for embezzling union funds in the amount of \$14,042. The sentencing follows an investigation by the OLMS St. Louis District Office.

**On June 17, 2010**, in the United States District Court for the Western District of Michigan, David Miller, former Treasurer of Litchfield Independent Workers Union Local 373 (located in Litchfield, Mich.), was sentenced to 13 months incarceration followed by two years of supervised release, and ordered to make restitution in the amount of \$50,501.99 and pay a \$100 special assessment. On March 8, 2010, Miller pled guilty to embezzling union funds in the amount of \$50,501.99. The sentencing follows an investigation by the OLMS Detroit District Office.

**On June 15, 2010**, in the United States District Court for the Eastern District of Oklahoma, Donna Cooper, former Business Manager for Laborers Local 888 (located in Muskogee, Oklahoma), was indicted for embezzling union funds. Cooper is alleged to have used Local 888's ATM card to make unauthorized cash withdrawals and purchases totaling \$69,322. The indictment follows an investigation by the OLMS Dallas District Office.

**On June 14, 2010**, in the United States District Court for the Eastern District of Michigan, Jerrold King, former President of Steelworkers Local 842 (located in Detroit, Mich.), pled guilty to one count of concealing union records. On March 4, 2010, King was charged with the same offense. The plea follows an investigation by the OLMS Detroit District Office.

**On June 11, 2010**, in the United States District Court for the Eastern District of Michigan, an information was filed charging Barbara Jean Gallagher, former Financial Secretary of Steelworkers Local 2-1007 (located in Howell, Mich.), with one count of making a false statement of a material fact on the union's 2005 annual financial report. The information follows an investigation by the OLMS Detroit District Office.

**On June 8, 2010**, in the United States District Court for the Western District of Wisconsin, Kathy Oatman, former Secretary-Treasurer of UNITE HERE Local 228 (located in Eau Claire, Wis.), pled guilty to one count of embezzling union funds in excess of \$4,000. As part of her plea, Oatman will make restitution in the amount of \$4,662. The plea follows an investigation by the OLMS Minneapolis Resident Office.

**On June 4, 2010**, in the United States District Court for the Eastern District of Missouri, Aaron Hunter, former President of Firefighters Local 108F (located in Fort Leonard Wood, Mo.), was charged with one count of making false statements to conceal his embezzlement of union funds. Hunter then pled guilty to the charge. The charge and plea follows an investigation by the OLMS St. Louis District Office.

**On June 3, 2010**, in the Hamilton County (Ohio) Court of Common Pleas, Ladonna Turner pled guilty in to three counts of forgery associated with checks belonging to Musicians Local 1 (located in Cincinnati, Ohio). The plea follows an investigation by the OLMS Cincinnati District Office.

**On June 3, 2010**, in United States District Court for the District of South Dakota, Terri Dunkelberger, former Financial Secretary Treasurer of Amalgamated Transit Union (ATU) Local 1356 (located in Sioux Falls, S.D.), was indicted on one count of embezzling union funds in the approximate amount of \$24,148.98. The charge follows an investigation by the OLMS Minneapolis Resident Investigator Office and Milwaukee District Office.

**On June 3, 2010**, in the Ashtabula County, Ohio, Court of Common Pleas, Stephanie Marhefka, former Financial Secretary of Steelworkers Local 905 (located in Niles, Ohio), was indicted on one count of theft in the amount of \$1,500.13 and one count of tampering with evidence. The charges follow an investigation by the OLMS Cleveland District Office.

**On June 1, 2010**, in the United States District Court for the Western District of Pennsylvania, Thomas Carrola, former Secretary-Treasurer of the International Brotherhood of Electrical Workers (IBEW) Local 1919 (located in Pittsburgh, Pa.), pled guilty to one count of embezzling union funds in the amount of \$35,057 and falsifying union records. The plea follows an investigation by the OLMS Pittsburgh District Office.

**On May 27, 2010**, in the United States District Court for the District of Nevada, Cheryl Staley, former dues clerk of Operating Engineers Local 501 (located in Los Angeles, Calif.), pled guilty to a two-count information charging her with embezzling union funds in the amount of \$231,653.89 and falsifying records. The plea follows an investigation by the OLMS Los Angeles District Office.

**On May 26, 2010**, in the United States District Court for the Southern District of Ohio, Gilbert Woods, former President of Communications Workers of America (CWA) Local 84-768 (located in Kettering, Ohio), was charged with making false entries in union records. The charge follows an investigation by the OLMS Cincinnati District Office.

**On May 20, 2010**, in the United States District Court for the Middle District of Pennsylvania, Gary Day, former Field Representative of Laborers Local 1180 (located in Harrisburg, Pa.), was sentenced to three years probation and was ordered to pay restitution in the amount \$10,518.00 and a special assessment of \$100.00. On January 22, 2010, Day pled guilty to an information charging him with embezzling union funds in the amount of \$10,518.00. The sentencing follows an investigation by the OLMS Philadelphia District Office.

**On May 20, 2010**, in the United States District Court for the Northern District of California, Curtis Iwatsubo, former Financial Secretary-Treasurer of Glass Molders Plastics Local 52 (located in Santa Clara, Calif.), pled guilty to one count of embezzling union funds in the amount of \$48,434.50. On March 24,

2010, Iwatsubo was charged with embezzling union funds in the same amount. The plea follows an investigation by the OLMS San Francisco District Office.

**On May 20, 2010**, in the Municipal Court of Stark County, Ohio, Crystal Lynn Croston, former office secretary for Laborers Local 1015 (located in Canton, Ohio), was charged with theft in the amount of \$1,344.08. The charge follows an investigation by the OLMS Cleveland District Office.

**On May 20, 2010**, in the United States District Court for the Western District of New York, Joseph Kerwan, Business Manager/Financial Secretary-Treasurer of Sheet Metal Workers Local 112 (located in Elmira, N.Y.), pled guilty to falsification of union records. As part of his plea, Kerwan will make restitution in the amount of \$6,927.55. The plea follows an investigation by the OLMS Buffalo District Office.

**On May 19, 2010**, in the United States District Court for the Northern District of Ohio, Lisa Wright, former Treasurer of Transit Employees Union (located in Bedford, Ohio), was sentenced to three years probation and ordered to make restitution in the amount of \$71,470.50. On February 12, 2010, Wright pled guilty to embezzlement of union funds. The sentencing follows an investigation by the OLMS Cleveland District Office.

**On May 19, 2010**, in the United States District Court for the District of Montana, Tammy Smith, former office secretary for Painters Local 1922 (located in Billings, Mont.), was sentenced to 30 months of probation, and was ordered to pay restitution in the amount of \$11,175.43, an assessment of \$100, and a fine of \$500. On March 31, 2010, Smith pled guilty to embezzling union funds in the amount of \$11,175.43. The sentencing follows an investigation by the OLMS Denver District Office.

**On May 19, 2010**, in the United States District Court for the Southern District of Indiana, Stacey Spalding, former bookkeeper of Teamsters Local 215 (located in Evansville, Ind.), pled guilty to embezzling union funds in the amount of \$29,516. The plea follows an investigation by the OLMS Cincinnati District Office.

**On May 18, 2010**, in General District Court for Arlington County, Virginia, Richard James, former President of AFGE Local 1402, was charged with embezzling union funds in the amount of \$1,550. The charge follows an investigation by the OLMS Washington District Office.

**On May 17, 2010**, in the United States District Court for the District of New Jersey, Shawn Clark, former Business Agent of Carpenters Local 455 (located in Somerville, N.J.), was found guilty on fifteen counts of embezzling union funds and conspiracy to improperly spend the funds of Local 455 for his own personal use and the use of others, approximately during the period of December 2000 through December 2007. On June 17, 2009, Clark was indicted on sixteen counts of embezzling union funds in excess of \$85,000 and conspiracy to improperly spend the funds of Local 455. The verdict follows an investigation by the OLMS New York District Office.

**On May 14, 2010**, in the United States District Court for the Northern District of Ohio, Jeffrey Kenney, former Secretary Treasurer of Graphic Communications Local 205-C (located in Youngstown, Ohio), pled guilty to embezzling union funds in the amount of \$10,305.70 and of filing a false financial report. The plea follows an investigation by the OLMS Cleveland District Office.

**On May 12, 2010**, in the United States District Court for the Eastern District of Wisconsin, Warren Demmin, former President of Boilermakers Local Lodge 449 (located in Sturgeon Bay, Wis.), was sentenced to four months incarceration, four months electronic monitoring, three years probation, and was ordered to pay a \$100 special assessment. Demmin previously made restitution in the amount of \$14,045.48. On February 11, 2010, Demmin pled guilty to embezzling union funds in the amount of \$169.12. The sentencing follows an investigation by the OLMS Milwaukee District Office.

**On May 12, 2010**, in the United States District Court for the District of New Jersey, Patrick James Brennan, former Business Manager and Secretary Treasurer of International Union of Painters and Allied Trades District Council 711 (located in Egg Harbor Township, N.J.), pled guilty to three counts of embezzlement of union funds. Brennan used the District Council's credit card for his own benefit and

personal use and that of others in the amount of \$4,862.12; converted to his own use and the use of others the District Council's property, specifically a union vehicle worth approximately \$11,000, and issued himself unauthorized holiday bonuses between December 22, 2004 and December 14, 2006 totaling \$8,652. The plea follows an investigation by the New York District Office.

**On May 12, 2010**, in the United States District Court for the Western District of Wisconsin, an information was filed charging Kathy Oatman, former Secretary-Treasurer of Workers United Local 228 (located in Eau Claire, Wis.), with embezzlement of union funds in excess of \$4,000. The charge follows an investigation by the OLMS Minneapolis Resident Office.

**On May 11, 2010**, in Hamilton County (Ohio) Court of Common Pleas, Donald Woods, former President of AFSCME Local 217 (located in Cincinnati, Ohio), pled guilty to one count of theft of union funds in the amount of \$500.00 or more. Woods was then sentenced to six months probation. Woods previously made restitution in the amount of \$1,376. The plea and sentencing follow an investigation by the OLMS Cincinnati District Office.

**On May 11, 2010**, in the United States District Court for the Eastern District of Michigan, an information was filed charging Oscar Gatewood, former President of Steelworkers Local 842 (located in Detroit, Mich.), with one count of concealing union records. The information follows an investigation by the OLMS Detroit District Office.

**On May 11, 2010**, in the United States District Court for the Western District of Pennsylvania, Antonio Jordan, former Secretary-Treasurer of Communications Workers Local 38187 (located in Erie, Pa.), was charged with embezzling union funds in the amount of \$8,767.40. The charge follows an investigation by the OLMS Pittsburgh District Office.

**On May 6, 2010**, in the United States District Court for the Northern District of Indiana, Loretta Brown, former Secretary-Treasurer of AFSCME Local 3491 (located in Gary, Ind.), was indicted on two counts of embezzling union funds in the amount of \$1,225. The indictment follows an investigation by the OLMS Chicago District Office.

**On May 4, 2010**, in United States District Court for the District of South Dakota, Paul Wyatt, former President/Business Manager of Stage and Picture Operators (IATSE) Local 220 (located in Sioux Falls, S.D.), was indicted on one count of embezzlement of union funds in the approximate amount of \$35,022.95. The charge follows an investigation by the OLMS Minneapolis Resident Investigator Office.

**On May 3, 2010**, in United States District Court for the District of Oregon, Michele Pedersen, former Treasurer of AFSCME Local 2746 (located in Astoria, Ore.), was sentenced to three years supervised release and ordered to pay a \$25 special assessment penalty. Pedersen previously made restitution in the amount of \$8,509. On May 3, 2010, Pedersen pled guilty to falsification of an annual financial report. The sentencing follows an investigation by the OLMS Seattle District Office.

**On April 30, 2010**, in the County Court of Woodbury, Iowa, Stanley Teasley, former Secretary-Treasurer of Machinists Local 1426 (located in Sioux City, Iowa), was sentenced to ten years in prison for theft of union funds in the amount of \$17,525. The sentencing follows an investigation by the OLMS St. Louis District Office..

**On April 30, 2010**, in the District Court of Hennepin County, Minnesota, Lucy Irene Hastings, former Recording Secretary of AFGC Local 1969 (located in Minneapolis, Minn.), was charged with theft by swindle of over \$1,000. Hastings is alleged to have taken union funds in the amount of \$3,328.29. The charge follows an investigation by the OLMS Minneapolis Resident Investigator Office.

**On April 28, 2010**, in the United States District Court of Nevada, Aundrea Valerio, Stacy Johnson and Aurora Rios, former employees of Laborers Local 872 (located in Las Vegas, Nev.), were indicted on charges of embezzling union funds and multiple counts of falsifying union records. Valerio was charged with embezzling approximately \$13,500, Johnson was charged with embezzling approximately \$45,500, and Rios was charged with embezzling approximately \$167,500. The indictments follow an investigation

by the OLMS Los Angeles District Office.

**On April 28, 2010**, in the 60th District Court of Muskegon County, Michigan, a misdemeanor complaint was filed charging Jamie Nielsen, former President of National Association of Letter Carriers (NALC) Branch 13 (located in Muskegon, Mich.), with one count of embezzlement of \$200 or more but less than \$1,000. The charge follows an investigation by the OLMS Detroit District Office.

**On April 27, 2010**, in the United States District Court for the Central District of California, Joan Boucher, former Treasurer of Staff Union Local 399 (located in Los Angeles, Calif.), was indicted for embezzling union funds in the amount of \$11,845. The indictment follows an investigation by the OLMS Los Angeles District Office.

**On April 26, 2010**, in the United States District Court for the District of Alaska, Thomas Renkes, former Executive Director of the Alaska Nurses Association was charged with the embezzlement of union funds. The charge follows an investigation by the OLMS Seattle District Office.

**On April 23, 2010**, in the Hamilton County (Ohio) Court of Common Pleas, Britton Russia pled guilty to six counts of forging union checks belonging to Musicians Local 1 (located in Cincinnati, Ohio). Russia was sentenced to one year of incarceration. The plea and sentencing follows an investigation by the OLMS Cincinnati District Office.

**On April 23, 2010**, in the United States District Court for the Southern District of New York, Lawrence DeAngelis, former Administrator/Trustee of Communications Workers of America (CWA) Local 14170 (located in New York, N.Y.), pled guilty to one count of embezzling union funds in excess of \$60,000. The plea follows an investigation by OLMS New York District Office.

**On April 22, 2010**, in the United States District Court for the Middle District of Florida, Karl Youngerman, Woodrow Anderson and Anthony Green, former President, Treasurer and Recording Secretary, respectively, of Glass, Molders, Pottery, Plastics & Allied Workers (GMP) Local 208 (located in Bradenton, Fla.), were indicted on charges of conspiracy to defraud the United States, six counts of embezzling union assets, making false statements and entries and filing false reports. The indictments follow an investigation by the OLMS Tampa Residence Office.

**On April 21, 2010**, in the United States District Court for the Southern District of New York, Wayne Mitchell, former President of Communications Workers of America (CWA) Local 14170 (located in New York, N.Y.), pled guilty to one count of embezzling union funds in an amount between \$200,000 and \$400,000. On December 14, 2009, Mitchell was charged with embezzling union funds in the amount of \$200,000. The plea follows an investigation by OLMS New York District Office.

**On April 20, 2010**, in the United States District Court for the Southern District of Mississippi, Rebecca Ann James, former Financial Secretary Treasurer of International Guards Union of America (IGUA) Local 123 (located in Port Gibson, Miss.), was sentenced to three years of supervised probation and ordered to pay restitution in the amount of \$11,027.30 and a special assessment of \$100. On January 12, 2010, James pled guilty to one count of embezzling union funds in the amount of \$11,147. The sentencing follows an investigation by the OLMS New Orleans District Office.

**On April 20, 2010**, in the United States District Court for the Northern District of New York, Kelly J. Fahrenkopf, former Vice President of AFSCME, Civil Service Employees Association (CSEA), Local 316 (located in West Coxsackie, N.Y.) pled guilty to one count of embezzling over \$11,500 in union funds between August 2006 and March 2007. The plea follows an investigation by the OLMS Buffalo District Office.

**On April 20, 2010** in the United States District Court, Northern District of Ohio, Jackie Kiedrowicz, former President of Steelworkers Local 1200 (located in Canton, Ohio) was sentenced to two years probation, ordered to pay a \$2,000 fine and perform 200 hours of community service. On February 1, 2010, Kiedrowicz pled guilty to one count of embezzling union funds in the amount of \$16,782.40. The sentencing follows an investigation by the OLMS Cleveland District Office.

**On April 15, 2009**, in the United States District Court for the Western District of Pennsylvania, Christine S. Throckmorton, a former office secretary/bookkeeper for the Hotel Employees Restaurant Employees (HERE) Local 57 (located in Pittsburgh, Pa.), was sentenced to four years probation and ordered to pay restitution in the amount of \$9,674.95 and a special court assessment of \$100. On December 4, 2009, Throckmorton pled guilty to one count of embezzling union funds totaling \$9,675.95. The sentencing follows an investigation by the OLMS Pittsburgh District Office.

**On April 13, 2010**, in the United States District Court for the District of Minnesota, Joe Self, former President of Steelworkers Local 771 (located in Fort Worth, Texas) was sentenced to five years of probation, ordered to pay \$37,571.09 in restitution and a \$50 special assessment. On November 26, 2008, Self pled guilty to destruction of union records. This sentencing follows an investigation by the OLMS Dallas District Office.

**On April 12, 2010**, in the District Court of Lenawee County, Michigan, Kimberley Smith, former Financial Secretary of Auto Workers Local 2031 (located in Adrian, Mich.), was sentenced to five days in county jail, 15 days at a work release facility and 2 years probation. Smith was also ordered to pay restitution in the amount of \$1,951.87 and a fine of \$450. On March 3, 2010, Smith pled guilty to one count of embezzlement of \$200 or more but less than \$1,000. The sentencing follows an investigation by the OLMS Detroit District Office.

**On April 12, 2010**, in the Clinton County (Ohio) Court of Common Pleas, Daniel Graves, former President of Teamsters Local 1224 (located in Wilmington, Ohio), was indicted on one count of theft in the amount of \$2,867.42. The charges follow an investigation by the OLMS Cincinnati District Office.

**On April 8, 2010**, in the United States District Court for the Eastern District of Missouri, Sherrell Mitchell, former Secretary-Treasurer of Communications Workers of America (CWA) Local 86823 (located in St. Louis Mo.), was sentenced to six months of home confinement, 200 hours of community service and five years of probation, ordered to pay restitution in the amount of \$110,139.12 and a \$100 special assessment. On January 5, 2010, Mitchell pled guilty to embezzling union funds in the same amount. The sentencing follows an investigation by the OLMS St. Louis District Office.

**On April 7, 2010**, in the United States District Court for the Eastern District of Missouri, Angela Jones, the former President of Laborers Local 509 (located in St. Louis, Mo.), was sentenced to 100 hours of community service and placed on one year of probation. On February 16, 2010, Jones was charged with one count of making false entries in union records. The sentencing follows an investigation by the OLMS St. Louis District Office.

**On April 5, 2010**, in United States District Court for the District of Minnesota, Corry Carroll, Secretary-Treasurer of the Brotherhood of Locomotive Engineers and Trainmen (BLET), General Committee of Adjustment (located in Albert Lea, Minn.), was indicted for embezzling union funds in the amount of approximately \$35,000. The indictment follows an investigation by the Milwaukee District Office and Minneapolis Resident Office.

**On April 1, 2010**, in the United States District Court for the Western District of Louisiana, David M. Matthis, former Secretary Treasurer of American Postal Workers Union (APWU) Local 205 (located in Alexandria, La.), was sentenced to three years of supervised probation, 200 hours of community service, ordered to pay restitution in the amount of \$7,222.57, ordered to pay a fine in the amount of \$7,000 and a special assessment of \$100. On December 17, 2009, Matthis pled guilty to one count of embezzling union funds in the amount of \$5,472.61. The sentencing follows an investigation by the OLMS New Orleans District Office.

**On April 1, 2010**, in the United States District Court for the Eastern District of Tennessee, Linda Tickle, former office manager of Machinists Locals 56 and 1458 (located in Chattanooga, Tenn.), was sentenced to five months imprisonment, three years probation, a \$200 assessment, and ordered to pay restitution in the amount of \$40,048.72. On March 29, 2010, Tickle pled guilty to two counts of embezzlement union funds in the amount of \$40,048.72. The sentencing follows an investigation by the OLMS Nashville District



Office.

**On March 30, 2010**, in the United States District Court for the Southern District of Indiana, Stacy Spalding, former bookkeeper of Teamsters Local 215 (located in Evansville, Ind.), was charged with embezzlement of union funds in the amount of \$29,516. The charges follow an investigation by the OLMS Cincinnati District Office.

**On March 29, 2010** in the United States District Court for the Northern District of Illinois, Lawrence White, former President of United Electrical Radio & Machine Workers Local 1110 (located in Chicago, Ill.), pled guilty to one count of willfully concealing and causing false entries in union records. On September 1, 2009 White was charged with the same offense. The plea follows an investigation by the OLMS Chicago District Office.

**On March 29, 2010**, in the United State District Court for the Central District of California, Rosa Miriam Della Porta, former bookkeeper of International Longshoremen's and Warehousemen's Union (ILWU) Local 26 (located in Los Angeles, Calif.), was sentenced to 21 months in prison, three years of supervised release, ordered to pay restitution in the amount of \$47,898 to Local 26 and \$ 73,577 to Fidelity and Deposit Company of Maryland, ordered to pay a assessment fee in the amount of \$100.00. On April 1, 2009, Della Porta was found guilty of embezzling union funds in the amount of \$123,475. The sentencing follows an investigation by OLMS Los Angeles District Office. (Investigator Roberto Gonzalez)

**On March 24, 2010**, in the Superior Court of Cobb County, Georgia, Johnny L. Banes, former-Financial-Secretary of the United Steelworkers of America, Local 2401 (located in Mableton, Ga.), pled guilty to one count of theft by taking of union funds in the amount of \$38,329. Banes was then sentenced to ten years probation and ordered to pay restitution in the same amount. The sentencing follows an investigation by the OLMS Atlanta District Office.

**On March 24, 2010**, in the United States District Court for the Northern District of California, Curtis Iwatsubo, former Financial Secretary-Treasurer of Glass, Molders, Pottery, Plastics & Allied Workers (GMP) Local 52 (located in Santa Clara, Calif.), was indicted on one count of embezzling over \$47,000 in union funds and one count of making false statements to a government agency. The indictment follows an investigation by the OLMS San Francisco District Office.

**On March 24, 2010**, in the United States District Court for the District of Minnesota, Steven J McDeid, former President of National Association of Letter Carriers Branch 388 (located in St. Cloud, Minn.), pled guilty to one count of embezzling union funds in the amount of \$51,639.61. On March 5, 2010, McDeid was charged in an information with one count of embezzling union funds in the same amount. The plea follows an investigation by the OLMS Milwaukee District Office and Minneapolis Resident Investigator Office.

**On March 23, 2010**, in the United States District Court for the Southern District of Mississippi, Ron D. Quinn, former President of IGUA Local 123 (located in Port Gibson, Miss.) was sentenced to six months home confinement with electronic monitoring, three years probation and ordered to pay restitution in the amount of \$11,027 and a \$100 special assessment. The sentencing follows an investigation by OLMS New Orleans District Office.

**On March 22, 2010**, in the United States District Court for the Northern District of Illinois, William Dugan, former President of Operating Engineers Local 150 (located in Countryside, Ill.) pled guilty to one count of accepting and receiving the delivery of concrete buffalo feeders (value of over \$900) from an employer whose employees the union represents. On March 10, 2010, an information filed charging Dugan with a misdemeanor count of receiving and accepting a thing of value from an employer whose employees were represented by the union in which the he was an officer. The plea follows a joint investigation by the OLMS Chicago District Office, the Department of Labor's Office of Inspector General, the Department of Labor's Employment Benefit Security Administration, and the FBI.

**On March 18, 2010**, in the United States District Court for the Northern District of Indiana, Karen Snelling, former Treasurer of Communication Workers Local 34014 (located in Gary, Ind.), was sentenced

to three years of probation, six months of home detention with electronic monitoring, ordered to pay restitution in the amount of \$15,000 to Zurich North American Insurance Company and \$3,100 to the union and ordered to pay a special assessment of \$100. On December 10, 2009, Snelling pled guilty to one count of embezzling union funds in the amount of \$18,100. The sentencing follows an investigation by the OLMS Chicago District Office and Department of Labor's Office of Inspector General.

**On March 17, 2010**, in the United States District Court for the District of Oregon, Toni Lancaster, former office manager of the Carpenters Independent Local 711 (located in Portland, Ore.), was charged with seven counts embezzling union funds in the amount of \$68,403 and one count of falsification and concealment of labor union financial documents. The charges follow an investigation by the OLMS Seattle District Office.

**On March 17, 2010**, in the United States District Court for the District of Oregon, Charles Owens, former Financial Secretary of Carpenters Independent Local 2791 (located in Scio, Ore), was charged with ten counts of embezzling union funds in the amount of \$65,791. The charges follow an investigation by the OLMS Seattle District Office.

**On March 17, 2010**, in the United States District Court for the District of Oregon, Michele Pedersen, former Treasurer of AFSCME Local 2746 (located in Astoria, Ore.), was charged with five counts of embezzling a union funds in the amount of \$8,509 and three counts of falsification of an annual financial report filed by a labor union. The charges follow an investigation by the OLMS Seattle District Office.

**On March 17, 2010**, in the United States District Court for Southern District of Texas, Frankie Sanders, former Southern Regional Coordinator for the American Postal Workers Union (located in Houston, Texas), was indicted on one count of wire fraud in the amount of \$1,753.78 and one count of embezzling union funds in the amount of \$10,078.40. The charges follow an investigation by the OLMS Houston Resident Investigator Office.

**On March 16, 2010**, in the United States District Court for the Western District of Pennsylvania, Barbara Patton, the former President and Vice President of the American Postal Workers Union, Local 4469 (located in Johnstown, Pa), was charged with one count of embezzling union funds in the amount of \$2,015.78. The charge follows an investigation by the OLMS Pittsburgh District Office.

**On March 16, 2010**, in Hamilton County (Ohio) Court of Common Pleas, Lavinia Smith was sentenced to 180 days incarceration, suspended, and placed on probation for one year for attempted forgery of checks belonging to Musicians Local 1 (located in Cincinnati, Ohio). Additionally, Smith was ordered to make restitution in the amount of \$2500, pay court costs, and cooperate in a related case. The sentencing follows an investigation by the OLMS Cincinnati District Office.

**On March 11, 2010**, in the United States District Court for the Western District of Pennsylvania, David Come, former Vice President and Assistant Business Manager of the International Brotherhood of Electrical Workers (IBEW) Local 1919 (located in Pittsburgh, Pa), pled guilty to submitting false expense vouchers to the union from January 2006 to January 2007. Come was then sentenced to nine months probation and ordered to pay restitution in the amount of \$2,850.83. The plea and sentencing follows an investigation by the OLMS Pittsburgh District Office.

**On March 11, 2010**, in the United States District Court for the District of Montana, Laura A. Brown, former President and Treasurer of the American Federation of Teachers (AFT) Local 5095 (located in Butte, Mont.), was sentenced to five years probation on one count of embezzling union funds. Brown was ordered to make restitution, pay a special assessment of \$100 and repay the cost of mental health and substance abuse treatment directed by the probation office. On November 12, 2009, Brown pled guilty to one count of embezzling union funds totaling \$7,731.54. The sentencing follows an investigation by the OLMS Denver District Office.

**On March 11, 2010**, in the Hamilton County (Ohio) Court of Common Pleas, Cassandra Brown, former Secretary-Treasurer of Boilermakers Lodge 68-M (located in Cincinnati, Ohio), was indicted on one count of theft of union funds in the amount of \$500 or more. The indictment follows an investigation by the

OLMS Cincinnati District Office.

**On March 11, 2010**, in the Hamilton County (Ohio) Court of Common Pleas, Donald Woods, President of AFSCME Local 217 (located in Cincinnati, Ohio), was indicted on one count of theft of union funds in the amount of \$500.00 or more. The indictment follows an investigation by the OLMS Cincinnati District Office.

**On March 8, 2010**, in the United States District Court for the District of South Carolina, Christina Geathers, former Financial Secretary/Treasurer of Steelworkers Local 357 (located in Georgetown, S.C.), was sentenced to three years of supervised release, sixteen months of home confinement with electronic monitoring, ordered to pay restitution in the amount of \$25,444.68 to the union and \$10,000 to Zurich Insurance Company, and ordered to pay a special assessment of \$100. On August 11, 2009, Geathers pled guilty to one count of embezzling union funds in the amount of \$36,865.18. The sentencing follows an investigation by the OLMS Atlanta District Office.

**On March 8, 2010**, in the United States District Court for the Western District of Michigan, David Miller, former Treasurer of Litchfield Independent Workers Union Local 373 (located in Litchfield, Mich.), pled guilty to one count of embezzling union funds in the amount of \$50,501.99. On January 6, 2010, Miller was indicted on one count of embezzling union funds in the same amount. The plea follows an investigation by the OLMS Detroit District Office.

**On March 5, 2010** in the United States District Court, District of Minnesota, an information was filed charging Steven J McDeid, former President of National Association of Letter Carriers Branch 388 (located in St. Cloud, Minn.), with one count of embezzling \$51,639.61. The charge follows an investigation by the OLMS Milwaukee District Office and Minneapolis Resident Office.

**On March 4, 2010**, in the United States District Court for the Eastern District of Michigan, an information was filed charging Jerrold King, former President of Steelworkers Local 842 (located in Detroit, Mich.), with one count of concealing union records. The information follows an investigation by the OLMS Detroit District Office.

**On March 2, 2010**, in the United States District Court for the Eastern District of Michigan, Brenda Bywater, former Treasurer of American Federation of State, County, and Municipal Employees (AFSCME) Local 100 (located in Pontiac, Mich.), pled guilty to one count of making false entries in union records. On December 16, 2009, an information was filed charging Bywater with the same offense. The plea follows an investigation by the OLMS Detroit District Office.

**On February 25, 2010**, in the United States District Court for the Northern District of Indiana, Richard Schwab, former Financial Secretary-Treasurer of United Transportation Union Local 298 (located in Fort Wayne, Ind.), pled guilty to one count of embezzling union funds in the amount of \$46,472. The plea follows an investigation by the OLMS Chicago District Office.

**On February 25, 2010**, in the United States District Court for the Eastern District of Wisconsin, Timmy R. Peltier, former Secretary Treasurer of Independent Loomis Security Employees Union (located in Cudahy, Wis.), pled guilty to making a false statement or representation of a material fact on the union's 2006 and 2007 annual financial reports. Peltier was then sentenced to three years probation and ordered to pay \$6,237 in restitution and a \$50 special assessment. The plea and sentencing follows an investigation by the OLMS Milwaukee District Office.

**On February 24, 2010**, in the United States District Court for the Southern District of New York, Warren Joseph Annunziata, Executive Director of United Craft and Industrial Workers Local 91 (located in New York, N.Y.), was charged with extortion and receiving unlawful labor payments. The charge follows a joint investigation by the OLMS New York District Office and the Department of Labor's Office of Inspector General.

**On February 18, 2010**, in the United States District Court for the Northern District of Alabama, Herman Peoples, former Financial Secretary of Security Police, Fire Professionals, Ind., Local 598 (located in

Roseville, Miss.), pled guilty to one count of embezzling union funds in the amount of \$10,690 and was sentenced to 24 months probation and ordered to pay a \$100 special assessment. The sentencing follows an investigation by the OLMS Nashville District Office.

**On February 19, 2010**, in Goodhue County (Minnesota) District Court, Michelle Lyn Adler, former treasurer of Government Security Officers Local 24 (located in Redwing, Minn.), pled guilty to theft of more than \$1,000, but not more than \$5,000. Adler was then sentenced to two years probation and ordered to pay \$1,700 in restitution, a \$200 fine, and an \$83 surcharge. The plea and sentencing follows an investigation by the OLMS Minneapolis Resident Office.

**On February 17, 2010**, in the United States District Court for the Northern District of Illinois, an information was filed charging Pamela Williams, former travel/procurement coordinator of Service Employees Union Local 880 (located in Chicago, Ill.), with one count of embezzling union funds in the amount of \$6,080. The charge follows an investigation by the OLMS Chicago District Office.

**On February 17, 2010**, in Olmsted County (Minnesota) District Court, a felony complaint was filed charging Jeffrey Ver Meer, former Treasurer of AFGE Local 169 (located in Rochester, Minn.), with one count of theft-value over \$5,000. The charge follows an investigation by the OLMS Minneapolis Resident Office.

**On February 16, 2010**, in the United States District Court for the Western District of New York, Thomas Pokrywczynski, former Treasurer of the Transit Union's New York State Legislative Conference Board and former Financial Secretary-Treasurer of Transit Union Local 1342 (located in Buffalo, N.Y.), pled guilty to embezzling approximately \$71,000 from Transit Union, Local 1342 and approximately \$183,000 from the Transit Union's New York State Legislative Conference Board between January 2002 and March 2008 while serving as treasurer of both labor organizations. On August 21, 2009, Pokrywczynski was charged with embezzling \$277,548.72 from the two labor organizations. The plea follows an investigation by the OLMS Buffalo District Office.

**On February 16, 2010**, in the United States District Court for the Eastern District of Missouri, Angela Jones, the former President of Laborers' Local 509 (located in St. Louis, Mo.), was charged with one count of making false entries in union records related to her misuse of \$5,000 in union funds. The charge follows an investigation by the OLMS St. Louis District Office.

**On February 12, 2010**, in the United States District Court, Northern District of Ohio, Lisa Wright, former Secretary-Treasurer for the Transit Employees Union (located in Bedford, Ohio), pled guilty to one count of embezzling \$71,470.50. The plea follows an investigation by the OLMS Cleveland District Office.

**On February 11, 2010**, in the United States District Court for the Southern District of New York, Anthony Rumore, former President of Teamsters Local 812 and Teamsters Joint Council 16 (located in Scarsdale, N.Y.), was sentenced to two years of supervised probation including three months of home confinement and a fine in the amount of \$10,000. On February 11, 2010, Runmore pled guilty to making a false statement when he failed to disclose income he received in the form of personal services by multiple employees of Local 812. The sentencing follows an investigation by the OLMS New York District Office.)

**On February 11, 2010** in the United States District Court for the Southern District of New York, Anthony Rumore, former President of Teamsters Local 812 and Teamsters Joint Council 16 (located in Scarsdale, N.Y.), plead guilty to making a false statement when he failed to disclose income he received in the form of personal services by multiple employees of Local 812.

**On February 11, 2010**, in the United States District Court for the Eastern District of Wisconsin, Warren Demmin, former President of Boilermakers Local Lodge 449 (located in Sturgeon Bay, Wis.), plead guilty to one count of embezzling union funds in the amount of \$169.12. On November 17, 2009, Demmin had been indicted on four counts of embezzling union funds in the amount of \$681.44. The plea follows an investigation by the OLMS Milwaukee District Office.

**On February 11, 2010**, in the United States District Court for the Southern District of New York, Milton

Smith, a former New York City Department of Education School Bus Inspector, was sentenced to fifteen months incarceration, three years supervised release and order to pay \$21,000 in restitution. On February 6, 2009, Smith was found guilty of extorting and accepting bribes in a program receiving federal funds. The sentencing follows a joint investigation of Amalgamated Transit Union Local 1181 (the primary union that represents drivers for school bus companies in New York City), as well as the New York City school bus industry, by the OLMS New York District Office, the Department of Labor's Office of the Inspector General, and the FBI.

**On February 11, 2010**, in the United States District Court for the Southern District of Mississippi, Dale Holifield, former Financial Secretary-Treasurer of United Food and Commercial Workers(UFCW) Workers Local 982C (located in Pearl, Miss.) was sentenced to two years supervised probation and ordered to pay a \$100 special assessment fee. Prior to sentencing, Holifield paid restitution to Local 982C. On December 2, 2009, Holifield pled guilty to one count of embezzling union funds in the amount of \$7,468.19. The sentencing follows an investigation by the OLMS New Orleans District Office

**On February 8, 2010** in United States District Court for the District of Colorado, Peter Maisel, Jr., former Secretary-Treasurer of the Brotherhood of Maintenance of Way Employees (BMWED) Local Lodge 1517 (located in Pueblo, Colo.) was indicted for embezzling union funds in the amount of \$10,124. The charges follow an investigation by the Denver District Office.

**On February 8, 2010**, in the United States District Court for the Western District of Michigan, Carolyn Williams, former Secretary-Treasurer of International Brotherhood of Electrical Workers (IBEW) Local 352 (located in Lansing, Mich.), was ordered to pay a \$1,000 fine and a special assessment of \$100. Williams had previously made full restitution to the local in the amount of \$9,554.14. On October 28, 2009, Williams pled guilty to embezzling union funds in the same amount. The sentencing follows an investigation by the OLMS Detroit District Office.

**On February 2, 2010**, in the United States District Court, Northern District of Ohio, Jeff Kenney, former Secretary-Treasurer for the Graphic Communications Local 205-C (located in Youngstown, Ohio) was indicted on one count of embezzling \$14,388 in union funds and one count of filing a false form LM-3. The charges follow an investigation by the OLMS Cleveland District Office

**On February 2, 2010**, in the United States District Court for the Southern District of Ohio, Donald Spell, former employee of UNITE-HERE Local 12 (located in Cincinnati, Ohio) was sentenced to two years probation and ordered to pay \$16,422.83 in restitution and a special assessment of \$100. On October 29, 2009, Spell pled guilty to embezzling funds totaling \$16,422.83. The sentencing follows an investigation by the OLMS Cincinnati District Office.

**On February 1, 2010**, in the United States District Court, Northern District of Ohio, Jacqueline Kiedrowicz, former President of United Steelworkers Local 1200 (located in Canton, Ohio) pled guilty to one count of falsification of union records. The guilty plea follows an investigation by the OLMS Cleveland District Office.

**On February 1, 2010**, in the United States District Court for the District of Nevada, Hugo Vargas, former secretary treasurer of International Association of Machinists and Aerospace Workers (Machinists) Lodge 845 (located in Las Vegas, Nev.) was charged Vargas with embezzling union funds in the amount of \$106,293.59. The charge follows an investigation by OLMS San Francisco District Office.

**On January 28, 2010**, in the United States District Court for the Southern District of Ohio, Danny Tilley, former Executive Secretary-Treasurer of the Texas State Building & Construction Trades Council (located in Austin, Texas), was sentenced to 36 months probation and ordered to pay \$9,719.11 in restitution and a \$100 assessment. On April 2, 2009, Tilley pled guilty to embezzling union funds in the amount of \$9,719.11. The sentencing follows an investigation by the OLMS New Orleans District Office.

**On January 28, 2010**, in the Superior Court of Cobb County, Georgia, Johnny L. Banes, former-Financial-Secretary of the United Steelworkers of America, Local 2401 (located in Mableton, Ga.), was indicted on one count theft of union funds in the amount of \$38,329.00. The indictment follows an

investigation by the OLMS Atlanta District Office.

**On January 25, 2010**, in the United States District Court for the Western District of Washington, Sid Mannetti, former President of the American Federation of Government Employees Local 1170 (located in Seattle, Wash.), was charged with embezzlement of labor union assets in the amount of \$50,463. The charge follows an investigation by the OLMS Seattle District Office.

**On January 22, 2010**, in the United States District Court for the Middle District of Pennsylvania, Gary Day, former Field Representative of Local 1180 (located in Harrisburg, Pa.), was charged in a one count information with embezzling union funds in the amount of \$10,827.50. The charges follow an investigation by the OLMS Philadelphia District Office.

**On January 21, 2010**, in the United States District Court for the Northern District of Georgia, Sonia McGuire, former Treasurer of American Postal Workers Union Local 3434 (located in Decatur, Ga.), was sentenced to five years probation, the first 6 months on home confinement with electronic monitoring, and was ordered to pay restitution in the amount of \$16,023.12 within 120 days and a special assessment of \$100. On November 18, 2009, McGuire, pled guilty to one count of embezzling union funds in the same amount. The sentencing follows an investigation by the OLMS Atlanta District Office and the U.S. Postal Service's Office of Inspector General.

**On January 21, 2010**, in the United States District Court, Northern District of Ohio, an information was filed charging Lisa Wright, former Treasurer of the Transit Employees Union (located in Bedford, Ohio), with one count of embezzling \$71,470.50. The charge follows an investigation by the OLMS Cleveland District Office.

**On January 21, 2010**, in the United States District Court, Northern District of Ohio, an information was filed charging Jacqueline T. Kiedrowicz, former President of Steelworkers Local 1200 (located in Canton, Ohio), with one count of making false entries in union records. The charge follows an investigation by the OLMS Cleveland District Office.

**On January 15, 2010**, in the United States District Court for the Western District of Kentucky, Ray Horton, former employee of United Steelworkers Local 9443 (located in Robards, Ky.), was sentenced to three years probation including four months of community confinement. He was ordered to pay restitution of \$43,816.29 and court costs of \$200. On October 2, 2009, Horton pled guilty to embezzlement and mail fraud. The sentencing follows an investigation by the OLMS Cincinnati District Office.

**On January 14, 2010**, in the United States District Court for the Northern District of Georgia, Gary Barner, former Treasurer of Steelworkers Local Union 518 (located in Rome, Ga.), was sentenced to 16 months incarceration to be followed by 36 months of supervised release and ordered to pay restitution in the amount of \$28,158.63. On October 6, 2009, Barner pled guilty to embezzling union funds, in the amount of \$28,158.63, by writing checks to himself and misusing the union's debit card. The sentencing follows an investigation by the OLMS Atlanta District Office.

**On January 13, 2010**, in the United States District Court for the Central District of California, James L. Miles, former Financial Secretary-Treasurer of International Brotherhood of Electrical Workers Local 1023 (located in Barstow, Calif.), was charged in a 12-count indictment with one count of embezzling union funds in the amount of \$93,273, nine counts of mail fraud, and two counts of making false statements on the union's annual financial reports. The indictments follow an investigation by the OLMS Los Angeles District Office.

**On January 12, 2010**, in the Southern District of Mississippi, Ron D. Quinn, former President, and Rebecca A. James, former Financial Secretary Treasurer, of International Guards Union of America Local 123 (located in Port Gibson, Miss.), pled guilty to embezzling union funds in the amount of \$11,147.30. On July 8, 2009, Quinn and James were charged in an information with conspiracy and embezzlement of union funds during a period between January 2008 and August 2008. The pleas follow an investigation by the OLMS New Orleans District Office.

**On January 8, 2010**, in the United States District Court for the District of Nevada, Monica Peaslee, former office manager of Teamsters Local 533 (located in Reno, Nev.), was sentenced to 48 months probation and ordered to pay \$12,479.99 in restitution and a \$100 assessment. On October 2, 2009, Peaslee pled guilty to embezzling union funds in the amount of \$13,156 and falsifying union records. The sentencing follows an investigation by the OLMS San Francisco District Office.

**On January 6, 2010**, in the United States District Court for the Western District of Michigan, David Miller, former Treasurer of Litchfield Independent Workers Union Local 373 (located in Litchfield, Mich.), was indicted on one count of embezzling union funds in the amount of \$50,501.99. The indictment follows an investigation by the OLMS Detroit District Office.

**On January 5, 2010**, in the United States District Court for the Eastern District of Missouri, Sherrell Mitchell, former Secretary-Treasurer of Communications Workers of America (CWA) Local 86823 (located in St. Louis Mo.), was charged with one count of embezzling union funds in the amount of \$110,000. Mitchell then pled guilty to the charge. This charge and plea follows an investigation by the OLMS St. Louis District Office.

**Last Updated: 1-19-11**

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## Office of Labor-Management Standards (OLMS)

### Criminal Enforcement Actions 2001

An **indictment** is a formal accusation or charge based on a finding by a Grand Jury that it is likely that the person charged committed the criminal offense described in the indictment and is the means by which an accused person (defendant) is brought to trial. An indictment raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

An **information** is a formal accusation of a crime by a government attorney rather than a Grand Jury. An information raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

A **charge** is an accusation of criminal activity and raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

Each **count** is a separate and distinct offense charged in an indictment or information.

A **guilty plea** is a defendant's admission to the court that he or she committed the offense charged and an agreement to waive the right to a trial.

A **conviction** is a judgment based on a jury's verdict, judge's finding, or the defendant's admission that the defendant is guilty of the crime charged.

A **sentence** is a judicial determination of the punishment to be imposed on an individual who has plead guilty or has been convicted by a jury or judge of a criminal offense.

On December 20, 2001, Laura Greco, former treasurer of State, County and Municipal Employees (AFSCME) Local 1501 was sentenced in the New York State Supreme Court, County of New York, on charges of grand larceny for embezzling \$8,965 in union funds. As a result of a plea bargaining agreement, she was sentenced to five years probation and was required to pay \$5,000 restitution. The investigation was conducted by the OLMS New York District Office.

On December 17, 2001, in Wayne County (Indiana) Superior Court, Priscilla Crist, former president of Auto Workers Local 2374, was indicted for forgery and theft of \$4,092. The charges were brought following an investigation by the OLMS Cincinnati District Office.

On December 17, 2001, in the United States District Court for the Southern District of Florida, David Lareau, former business manager of Painters Local 160, was charged in a one-count information with concealing and withholding financial records. The charges were brought following an investigation by the OLMS Atlanta District Office.

On December 12, 2001, in the United States District Court for the District of Columbia, a superceding indictment was returned against Jake West, general president emeritus of the Iron Workers International Union. The superceding indictment contained the same 49 counts that were in the original indictment which was unsealed on August 29, 2001, plus one count of conspiracy to embezzle, defraud, and file false reports and one count of obstruction of justice. The charges were brought following a joint investigation by the OLMS Washington District Office, the FBI, and the U.S. Attorney's Office for the District of Columbia.

On December 12, 2001, in Winnebago County (Illinois) court, Todd Mosley and Laura Reilly, former business agent and recording secretary, respectively, of Stage & Picture Operators Local 217, were indicted for felony theft. Mosley is alleged to have taken approximately \$3,126 in union funds and Reilly is alleged to have taken approximately \$1,522. The charges were brought following an investigation by the OLMS Chicago District Office.

On December 11, 2001, in the United States District Court for the Southern District of Ohio, Robert D.



King, Jr., former financial secretary of Roofers Local 86, pled guilty to a two-count information charging him with embezzling \$88,757 in union funds and \$41,750 in employee benefit funds. The charges were brought following an investigation by the OLMS Cleveland District Office.

On December 7, 2001, in the United States District Court for the Eastern District of Michigan, a criminal complaint was signed charging Isador Hampton and Willie Lyons, former president and financial secretary, respectively, of Auto Workers Local 825, with embezzling union funds. The charges were brought following an investigation by the OLMS Detroit District Office.

On December 6, 2001, in the United States District Court for the Northern District of Indiana, Robert Dean Meyer, former financial secretary of Carpenters Local 1481, pled guilty to a one-count information charging him with embezzling \$47,346.40 in union funds. The charges had been brought on November 19, 2001, following an investigation by the OLMS Chicago District Office.

On December 4, 2001, in the United States District Court for the Southern District of West Virginia, Thomas C. Bailey, former president and business manager of Musicians Local 136, and his wife, Deborah S. Bailey, an employee of the local, were indicted on charges of embezzling \$15,601 in union funds. The charges were brought following an investigation by the OLMS Pittsburgh District Office.

On December 3, 2001, in the United States District Court for the Northern District of Iowa, Terrance P. Baldrige, former secretary-treasurer of Auto Workers Local 1349, pled guilty to embezzling union funds. The plea agreement stipulates to a loss amount of \$5,307. The charges had been brought on October 5, 2001, following an investigation by the OLMS St. Louis District Office.

On November 30, 2001, in the United States District Court for the Southern District of Indiana, Michelle Terrell Spargur, former bookkeeper/office secretary for Carpenters Locals 364 and 1124, was sentenced to ten months home confinement with electronic monitoring and five years probation and was ordered to make restitution to the locals of \$29,673. The charges had been brought on July 13, 2001, following an investigation by the OLMS Cincinnati District Office.

On November 30, 2001, Judge Robert W. Curran of the Circuit Court for the City of Newport News, Virginia, accepted a plea agreement from Stanley Coppedge, former grievance person for Steelworkers Local 8888. Mr. Coppedge pled guilty to petty larceny, a Class 1 misdemeanor, in violation of Virginia Code 18.2-178 (obtaining money or property by false pretenses). He was sentenced to one year incarceration, suspended as long as he remains in good behavior and makes restitution of \$13,761.67. The charges had been brought on July 9, 2001, following an investigation by the OLMS Washington District Office.

On November 29, 2001, in the United States District Court for the Western District of Missouri, Steven Call, former president of Musicians Local 150, pled guilty to an information charging him with embezzling \$18,536 in union funds. The charges were brought following an investigation by the OLMS St. Louis District Office.

On November 29, 2001, in Edgar County (Illinois) court, Judith Elaine Cline, former secretary-treasurer of Auto Workers Local 2343, pled guilty to a one-count information charging her with misdemeanor theft of \$300. She was sentenced to 12 months of supervised release and ordered to make restitution of \$900 to the union. The charges were brought following an investigation by the OLMS Chicago District Office.

On November 29, 2001, in the United States District Court for the Northern District of Alabama, Roy Summerlin and Thomas Hall, former treasurer and vice-president, respectively, of Guards Tenth Regional Council, were charged in two separate informations with making false entries in required union records. The charges were brought following an investigation by the OLMS Nashville District Office.

On November 26, 2001, in the United States District Court for the Central District of California, Lillian Agredano, former office secretary of Painters Local 1348, was sentenced to two years probation and ordered to make restitution of \$15,000. She had pled guilty on September 19, 2001, to the embezzlement of union funds following an investigation by the OLMS Los Angeles District Office.

On November 21, 2001, in the United States District Court for the District of Oregon, John Abbott, former

secretary-treasurer of the Laborers District Council of Oregon, Southern Idaho, and Wyoming, was sentenced to 15 months in prison and one year probation. He was ordered to make restitution of \$194,400 and settle his income taxes with the IRS for the years 1994 through 1998. He had pled guilty on February 26, 2001, to accepting gratuities to use his influence as a pension plan trustee and filing a false tax return following an investigation by the OLMS Seattle District Office, the IRS, the FBI, the Department of Labor's Pension and Welfare Benefits Administration, and the Department of Labor's Office of the Inspector General.

On November 20, 2001, in the United States District Court for the Northern District of Ohio, Keith R. Sharp, former business agent for Stage and Picture Operators Local 132, was sentenced to six months home detention with electronic monitoring and three years probation and was ordered to make restitution of \$7,873. He had pled guilty on September 6, 2001, following an investigation by the OLMS Cleveland District Office.

On November 20, 2001, in the United States District Court for the District of Oregon, Barclay Grayson, the former president of Capital Consultants, LLC, was sentenced to 24 months in prison and three years probation. He had pled guilty on March 19, 2001, to mail fraud following an investigation by the OLMS Seattle District Office, the IRS, the FBI, the Department of Labor's Pension and Welfare Benefits Administration, and the Department of Labor's Office of the Inspector General.

On November 19, 2001, in the United States District Court for the Northern District of Indiana, an information was filed charging Robert Dean Meyer, former secretary-treasurer of Carpenters Local 1481, with one count of embezzling \$47,346.40 in union funds. The charges were brought following an investigation by the OLMS Chicago District Office.

On November 16, 2001, in the United States District Court for the Northern District of Ohio, Stephen M. Hanlon, former secretary-treasurer of Steelworkers Local 01-4564-S, pled guilty to embezzling \$21,657 in union funds. The charges had been brought on November 2, 2001, following an investigation by the OLMS Cleveland District Office.

On November 16, 2001, in the United States District Court for the Western District of Louisiana, Willie R. Walker, former secretary-treasurer of International Longshoremen's Association Local 1349, was indicted on one count of embezzling \$91,423 in union funds and one count of falsifying union records. The charges were brought following a joint investigation by the OLMS New Orleans District Office, the Department of Labor's Office of the Inspector General, and the FBI.

On November 15, 2001, in the Berks County (Pennsylvania) Court of Common Pleas, Kathleen L. Frost, former bookkeeper of Iron Workers Local 420, pled guilty to one count of theft by unlawful taking and one count of theft by failure to make required disposition of funds received. She was sentenced to two years probation. The charges had been brought on August 14, 2001, following an investigation by the OLMS Philadelphia District Office.

On November 15, 2001, in the United States District Court for the Northern District of Indiana, William Brooks, former recording secretary of Painters Local 8, was charged in a three-count indictment with embezzling \$14,480 in union funds, false recordkeeping, and aiding and abetting. The charges were brought following an investigation by the OLMS Chicago District Office.

On November 15, 2001, in the United States District Court for the Eastern District of Wisconsin, Robert Gordon, former financial secretary-treasurer of Local 366 of the American Federation of State, County and Municipal Employees, was sentenced to one year and one day in prison followed by three years probation and was ordered to make restitution of \$88,431. He had pled guilty on July 27, 2001, to embezzlement of union funds and falsification of union records following an investigation by the OLMS Milwaukee District Office.

On November 9, 2001, in the United States District Court for the Northern District of New York, Daniel Valle, former president of State, County, and Municipal Employees, CSEA, Local 316-Health Research, pled guilty to embezzling \$19,301 in union funds. The charges had been brought following an investigation by

the OLMS Buffalo District Office.

On November 8, 2001, in the United States District Court for the District of Columbia, Kerry J. Tresselt, an employee of the Iron Workers International Union who worked as a bookkeeper for the National Ironworkers and Employers Apprenticeship Training and Journeyman Upgrading Fund, pled guilty to three counts of embezzling more than \$350,000 from an employee welfare benefit plan and one count of conspiring to make false statements. The charges were brought following a joint investigation by the OLMS Washington District Office, the FBI, the Department of Labor's Pension and Welfare Benefits Administration, and the U.S. Attorney's Office for the District of Columbia.

On November 6, 2001, in the United States District Court for the Southern District of Mississippi, Jessie McGee, former business agent for Teamsters Local 891, was indicted on one count of embezzling \$2,492 in union funds. The charges were brought following an investigation by the OLMS New Orleans District Office.

On November 5, 2001, in the United States District Court for the District of Hawaii, Glenn Reys, former secretary-treasurer of Letter Carriers Branch 4644, was sentenced to five years probation (including six months home detention) and ordered to make restitution of \$10,011 to the union. He had pled guilty on May 14, 2001, following an investigation by the OLMS San Francisco District Office with assistance from the Los Angeles District Office.

On November 2, 2001, in the United States District Court for the Northern District of Ohio, an information was filed charging Stephen Hanlon, former financial secretary of Steelworkers Local 01-4564-S, with embezzling \$21,657 in union funds. The charges were brought following an investigation by the OLMS Cleveland District Office.

On November 1, 2001, in the State Court of California, Kings County, a complaint was filed against Robert S. Ramos, former president of Food and Commercial Workers Local 193-I, charging him with embezzling more than \$400 in union funds in violation of Section 487(a) of the California Penal Code. The charges were brought following an investigation by the OLMS San Francisco District Office.

On October 31, 2001, in the United States District Court for the District of Colorado, Bobby Putnam, former secretary-treasurer of Communications Workers Local 14708, was charged in a 40-count indictment with embezzling union funds and making false entries in union records. The charges were brought following an investigation by the OLMS Denver District Office.

On October 30, 2001, in the United States District Court for the District of New Jersey, George Wright, Jr., former financial secretary of United Automobile Workers Local 267, was indicted on one count of embezzling \$19,206 in union funds. The charges were brought following an investigation by the OLMS New York District Office.

On October 30, 2001, in the United States District Court for the Eastern District of New York, Matthew Downey, lead operator for Elevator Constructors Local 1, was indicted for witness tampering and obstruction of justice. The charges were brought as part of a joint investigation by the OLMS New York District Office, the FBI, and the Department of Labor's Pension and Welfare Benefits Administration.

On October 26, 2001, in the United States District Court for the Eastern District of Wisconsin, Shawn Drake, former secretary-treasurer of Local 736 of the Paper, Allied-Industrial Chemical and Energy Workers International Union (PACE), pled guilty to one count of embezzlement of union funds. He was sentenced to 21 months in jail, three years probation, and was ordered to make restitution of \$21,376. He had been indicted on February 14, 2001 following an investigation by the OLMS Minneapolis Resident Investigator Office.

On October 23, 2001, in the United States District Court for the District of South Carolina, Paul Morgan, former secretary-treasurer of Musicians Local 694, was indicted on one count of embezzling \$6,950 in union funds. The charges were brought following an investigation by the OLMS Atlanta District Office.

On October 23, 2001, in the United States District Court for the District of South Carolina, Earnest W.

Carter, former business manager of Sheet Metal Workers Local 399, was sentenced to five months imprisonment followed by five months in a halfway house and two years probation. He was ordered to make restitution to the union of \$22,092.82. He had pled guilty to embezzlement of union funds on August 7, 2001, following an investigation by the OLMS Atlanta District Office.

On October 23, 2001, in the United States District Court for the Central District of California, Hank Van Heyningen, president of Christian Labor Union Local 17 (Dairy Workers), pled guilty to one count of extortion. The charges had been brought on September 4, 2001, following a joint investigation by the OLMS Los Angeles District Office, the FBI, and the Department of Labor's Office of the Inspector General.

On October 22, 2001, in the United States District Court for the Northern District of Ohio, William A. Fast, former treasurer of Steelworkers Local 1013-L, was charged in an information with one count of embezzling \$3,893.71 in union funds. The charges were brought following an investigation by the OLMS Cleveland District Office.

On October 19, 2001, in the United States District Court for the District of Nebraska, Connie Ogg, former secretary-treasurer of Communications Workers Local 7401, was sentenced to four months imprisonment and two months home confinement to be followed by three years of supervised release. She was also ordered to perform 200 hours of community service and to make restitution of \$65,285. She had pled guilty to embezzlement of union funds on August 1, 2001, following an investigation by the OLMS St. Louis District Office.

On October 18, 2001, in the United States District Court for the Southern District of Illinois, Rhonda Ostendorf, former office secretary for Painters District Council 58, was sentenced to three years probation and ordered to make restitution of \$6,331. She had pled guilty to embezzlement of union funds and falsification of union records on June 27, 2001 following an investigation by the OLMS St. Louis District Office.

On October 16, 2001, in the United States District Court for the Northern District of California, Robin Neither, former bookkeeper for Longshoremen & Warehousemen Local 10, was indicted on charges of embezzling union funds and making false entries in required union records. The charges were brought following an investigation by the OLMS San Francisco District Office.

On October 15, 2001, in the United States District Court for the Central District of California, Wilfield Bloomfield, former bookkeeper of Carpenters Local 1553, was sentenced to 15 months imprisonment followed by 36 months of supervised release. He had pled guilty on July 16, 2001, to the embezzlement of \$2,275 in union funds. He was ordered by the court to make restitution of \$110,886.65 to the union's bonding company. The charges had been brought following an investigation by the OLMS Los Angeles District Office.

On October 11, 2001, in the United States District Court for the Northern District of Georgia, Steve Jones, former business manager/secretary-treasurer of Iron Workers Local 387, pled guilty to a two-count information charging him with embezzling \$29,724.73 in union funds and \$39,949.42 in apprenticeship funds. The charges had been brought following a joint investigation by the OLMS Atlanta District Office, the Department of Labor's Pension and Welfare Benefits Administration, and the Department of Labor's Office of the Inspector General.

On October 5, 2001, in the United States District Court for the Northern District of Ohio, Sharon K. Schmenk, former treasurer of the Lima Memorial Professional Nurses Association, pled guilty to a one-count information charging her with embezzling \$19,170 in union funds. The information had been filed on September 4, 2001, following an investigation by the OLMS Cleveland District Office.

On October 5, 2001, in the United States District Court for the Northern District of Iowa, Terrance P. Baldrige, former secretary-treasurer of United Auto Workers Local 1349, was charged in a one-count indictment with embezzling \$1,150 in union funds. The charges were brought following an investigation by the OLMS St. Louis District Office.

On October 3, 2001, in the United States District Court for the District of New Mexico, Ygnacio Angel, former president of American Postal Workers Local 402, pled guilty to an information charging him with false recordkeeping in violation of 29 U.S.C. 439(c). The charges had been brought following an investigation by the OLMS Denver District Office.

On October 3, 2001, in Hamilton County (Ohio) Court, Michaelene Vandine, secretary-treasurer of American Federation of Government Employees Local 2031, pled guilty to theft by deception. She was sentenced to 180 days in jail which was suspended, one year probation, and 40 hours of community service. She had previously made restitution to the union in the amount of \$1,574.50. She had been indicted on August 7, 2001 following an investigation by the OLMS Cincinnati District Office.

On October 2, 2001, in the United States District Court for the District of Oregon, Jeffrey Grayson, CEO of Capital Consultants, LLC, was indicted on 14 counts of mail fraud in connection with devising a scheme to defraud union pension plans, in violation of 18 U.S.C. 1341. He was also charged with three counts of giving and offering to give over \$200,000 in gratuities to John Abbott, a union pension trustee, in violation of 18 U.S.C. 1954; three counts of money laundering, in violation of 18 U.S.C. 1956(a); one count of witness tampering, in violation of 18 U.S.C. 1512; and one count of conspiracy, in violation of 18 U.S.C. 371. The charges were brought following a joint investigation by the OLMS Seattle District Office, the IRS, the FBI, the Department of Labor's Pension and Welfare Benefits Administration, and the Department of Labor's Office of the Inspector General.

On September 26, 2001, in the United States District Court for the Eastern District of California, Deborah Bankston, former financial secretary-treasurer of Western Pulp and Paperworkers Local 83, was charged in an information with embezzling \$64,711 in union funds. The charges were brought following an investigation by the OLMS San Francisco District Office.

On September 25, 2001, in the United States District Court for the Southern District of West Virginia, Donna Hill, former office secretary for Painters Local 970, was sentenced to one year and one day in prison, to be followed by three years of supervised release. She was ordered to make restitution of \$53,906.50. She had pled guilty on July 9, 2001, following an investigation by the OLMS Pittsburgh District Office.

On September 25, 2001, in the United States District Court for the District of Kansas, Craig J. Rider, former business manager of Laborers Local 1290, was sentenced to 18 months imprisonment for embezzlement of union funds, to be followed by 36 months of supervised release. He was also ordered to make restitution of \$15,044. He had pled guilty on May 21, 2001, following an investigation by the OLMS St. Louis District Office.

On September 19, 2001, in the United States District Court for the Central District of California, Lillian Agredano, former officer manager of the now-defunct Painters Local 1348, pled guilty to the embezzlement of \$9,486 in union funds. The charges had been brought following an investigation by the OLMS Los Angeles District Office.

On September 18, 2001, in the United States District Court for the Eastern District of North Carolina, Angela Smith, secretary-treasurer of Local 1325 of the Paper Allied-Industrial, Chemical & Energy Workers (PACE), was sentenced to 120 days home confinement with four years supervised probation and was ordered to make restitution to the union in the amount of \$4,524.95. She had earlier pled guilty to embezzling union funds following an investigation by the OLMS Nashville District Office.

On September 17, 2001, in the United States District Court for the District of Connecticut, Ralph Varnardo, former president of American Federation of Government Employees Local 1674, pled guilty to one count of violating 18 USC 641, Embezzlement of Public Money, in the amount of \$15,724. The charges had been brought following an investigation by the OLMS Boston District Office.

On September 14, 2001, in the United States District Court for the Northern District of Texas, Gary Monsson, former secretary-treasurer of American Federation of Government Employees Local 3000, was sentenced to 12 months incarceration and three years of supervised released. He was ordered to make

restitution to the union of \$12,176.74 in addition to the amounts he had already repaid. He had earlier pled guilty to embezzling union funds following an investigation by the OLMS Dallas District Office.

On September 12, 2001, in the United States District Court for the Eastern District of Pennsylvania, James Bryant, former secretary-treasurer of American Federation of Government Employees Local 2061, entered into a plea agreement in which he agreed to plead guilty to two counts of theft by unlawful taking within the territorial jurisdiction of the United States. He agreed to make restitution to the union in the amount of \$3,480. He had been indicted following an investigation by the OLMS Philadelphia District Office.

On September 7, 2001, in the United States District Court for the U.S. Virgin Islands, Timothy Daley, former office secretary for Steelworkers Local 8248, was sentenced to 14 months incarceration with three years probation and was ordered to make restitution to the union of \$11,280.13. He had earlier pled guilty to embezzling union funds following an investigation by the OLMS Atlanta District Office.

On September 6, 2001, in the United States District Court for the Eastern District of Virginia, Donnie Block, former financial secretary of Bakery, Confectionery and Tobacco Workers Local 66, was sentenced to 12 months and one day of imprisonment and ordered to make restitution to the union in the amount of \$38,702. He had pled guilty to one count of embezzlement on May 14, 2001 following an investigation by the OLMS Washington District Office.

On September 6, 2001, in the United States District Court for the Northern District of Ohio, Keith Sharp, former business agent for Stage and Picture Operators Local 132, pled guilty to a one-count information charging him with embezzling \$7,873.91 in union funds. The charges were brought following an investigation by the OLMS Cleveland District Office.

On September 6, 2001, in the United States District Court for the Eastern District of Texas, Marvin Savant, former paymaster of Longshoremen's Association Local 1316, was sentenced to five months in a community correction center to be followed by five months home detention and three years supervised release. He was also ordered to make restitution to the union of \$4,820. He had earlier pled guilty to embezzling union funds following an investigation by the OLMS New Orleans District Office.

On September 5, 2001, in the United States District Court for the Eastern District of Michigan, Nadine Corey, former president of the Association of Credit Union Employees, was sentenced to one year home confinement and three years probation. She was also ordered to make restitution to the union of \$49,385.95. She had earlier pled guilty to an information which charged her with embezzling union funds following an investigation by the OLMS Detroit District Office.

On September 4, 2001, in the United States District Court for the Northern District of Ohio, Sharon K. Schmenk, former treasurer of the Lima (Ohio) Memorial Professional Nurses Association, was charged in a one-count information with embezzling \$19,170 in union funds. The charges were brought following an investigation by the OLMS Cleveland District Office.

On September 4, 2001, in the United States District Court for the Central District of California, Hank Van Heyningen, president of Christian Labor Union Local 17 (Dairy Workers), was charged in an information with extorting \$100 from a worker in violation of 18 U.S.C. 1951(a), (b)(2) (interference with interstate commerce by threats of violence). The charges were brought following a joint investigation by the OLMS Los Angeles District Office, the FBI, and the Department of Labor's Office of the Inspector General.

On September 4, 2001, in the United States District Court for the District of Maine, Ray Curtis, former secretary-treasurer of Laborers Local 327, was sentenced to three years probation with a condition that he serve six months in home confinement with electronic monitoring. He was also ordered to make restitution to the union of the balance he owes, \$6,655. He had earlier pled guilty to embezzling \$8,547 in union funds following an investigation by the OLMS Boston District Office.

On September 4, 2001, in the United States District Court for the Middle District of Alabama, Larry Turman, former secretary-treasurer of Letter Carriers Branch 2119, was sentenced to one year supervised probation and fined \$1,000. The judgement order made note that full restitution of \$1,700 had already

been made to the union. He had earlier pled guilty to embezzling union funds following an investigation by the OLMS Nashville District Office.

On August 30, 2001, in the United States District Court for the Southern District of Ohio, Stanley Bennett, former secretary-treasurer of Teamsters Local 1137, was sentenced to three years probation; fined \$200; ordered to serve four months of home detention, including two months with electric monitoring; and ordered to make restitution of \$6,477.56. He had earlier pled guilty to embezzling union funds following an investigation by the OLMS Cincinnati District Office.

On August 29, 2001, in the United States District Court for the District of Columbia, a 49-count indictment against Jake West, general president emeritus of the Iron Workers International Union, was unsealed. The indictment charges him with 43 counts of embezzling a total of approximately \$51,000 in union funds and 3 counts of concealing and falsifying a material fact and 3 counts of making false statements, both in connection with the Form LM-2 reports he filed in 1996, 1997, and 1998. The charges were brought following a joint investigation by the OLMS Washington District Office, the FBI, and the U.S. Attorney's Office for the District of Columbia.

On August 29, 2001, in the United States District Court for the District of Nevada, David Manes, former business representative of Steelworkers Local 711-A, was indicted on 153 counts of embezzling a total of \$24,923.42 in union funds. Twenty counts involved unauthorized salary, 119 counts involved personal purchases on the union's credit card and other accounts, and 14 counts involved use of union funds for personal debts. The charges were brought following an investigation by the OLMS San Francisco District Office.

On August 24, 2001, in the United States District Court for the District of Minnesota, Judy Domning, former executive director of the Minnesota Licensed Practical Nurses Association, pled guilty to one count of making a false statement in violation of 18 U.S.C. 1001 by making a false entry in a union record. The charges had been brought following an investigation by the OLMS Minneapolis Resident Investigator Office.

On August 21, 2001, in the United States District Court for the Middle District of Tennessee, Michele Arington, former bookkeeper for Steelworkers Local 9-194-L, was indicted on one count of embezzling \$5,635 in union funds. The charges were brought following an investigation by the OLMS Nashville District Office.

On August 16, 2001, in the United States District Court for the Central District of California, Lillian Agredano, former office manager for Painters Local 1348, was charged in a one-count information with embezzling \$9,486 in union funds. The charges were brought following an investigation by the OLMS Los Angeles District Office.

On August 14, 2001, in the Berks County (Pennsylvania) Court of Common Pleas, Kathleen L. Frost, former bookkeeper of Iron Workers Local 420, was indicted on one count of theft by unlawful taking and one count of theft by failure to make required disposition of funds received in the amount of \$7,653.46 in union funds. The charges were brought following an investigation by the OLMS Philadelphia District Office.

On August 13, 2001, in the United States District Court for the District of Colorado, Shelly Sue Pfeiffer, former bookkeeper-office secretary for Plasterers Local 577, pled guilty to one count of embezzling union funds. She was ordered to make restitution of \$30,863.55 to the union's bonding company and was sentenced to six months of home detention monitored by an electronic device and five years probation. The charges had been brought following an investigation by the OLMS Denver District Office.

On August 9, 2001, in the United States District Court for the Western District of Pennsylvania, Richard P. Miller, former secretary-treasurer of United Railway Supervisors Local 202, was sentenced to five months imprisonment, followed by five months community confinement and three years of supervised release, and was ordered to make restitution of \$100,000 to the union. He had pled guilty to embezzlement of union funds on May 31, 2001, following an investigation by the OLMS Pittsburgh District Office.

On August 7, 2001, in the United States District Court for the District of South Carolina, Earnest W. Carter, former business manager of Sheet Metal Workers Local 399, pled guilty to an information charging him with one count of embezzling \$22,092.82 in union funds. The charges were brought following an investigation by the OLMS Atlanta District Office.

On August 7, 2001, in the Hamilton County (Ohio) Court of Common Pleas, Michaelene Vandine, secretary-treasurer of American Federation of Government Employees Local 2031, was indicted on one count of theft by deception from the union in the amount of \$1,574.50. The charges were brought following an investigation by the OLMS Cincinnati District Office.

On August 1, 2001, in the United States District Court for the District of Nebraska, Connie Ogg, former secretary-treasurer of Communications Workers Local 7401, pled guilty to an information charging her with embezzling \$67,637 in union funds. The charges were brought following an investigation by the OLMS St. Louis District Office.

On July 27, 2001, in the United States District Court for the Eastern District of Wisconsin, Robert Gordon, former financial secretary-treasurer of State, County and Municipal Employees Local 366, pled guilty to one count of embezzling \$485 in union funds and one count of making a false entry in union records. The charges had been brought following an investigation by the OLMS Milwaukee District Office.

On July 23, 2001, in the United States District Court for the Western District of North Carolina, Terry Wilson, former secretary-treasurer of Steelworkers Local 09-1133-L, was placed on three years supervised probation and ordered to make restitution in the amount of \$6,073, the amount of the \$22,073 in union funds he embezzled which is still outstanding. He had entered a guilty plea on May 5, 2001. The charges had been brought following an investigation by the OLMS Nashville District Office.

On July 20, 2001, in the United States District Court for the District of Minnesota, an information was filed charging Judy Domning, former executive director of the Minnesota Licensed Practical Nurses Association, with one count of making a false statement in violation of 18 U.S.C. 1001. The charges were brought following an investigation by the OLMS Minneapolis Resident Investigator Office.

On July 17, 2001, in Sedgwick County (Kansas) court, Norman George, former secretary-treasurer of Bakery & Tobacco Workers Local 99G, was charged in a criminal complaint with felony theft (\$3,500). The charges were brought following an investigation by the OLMS St. Louis District Office.

On July 16, 2001, in the United States District Court for the Northern District of Illinois, John Serpico, former president of the Central States Joint Board of the Novelty and Production Workers (and a former vice president of the Laborers International Union), was convicted of mail fraud for, among other things, using his influence over union funds to obtain millions of dollars in personal loans from banks and receiving a kickback in return for arranging a union loan for a hotel project. Maria Busillo, also a former president of the Central States Joint Board, was convicted of mail fraud and making false statements to a bank and Gilbert Cataldo was convicted of mail fraud. The charges were brought following a joint investigation by the OLMS Chicago District Office, the FBI, the IRS, and the Department of Labor's Office of the Inspector General.

On July 16, 2001, in the United States District Court for the Central District of California, Wilfield Bloomfield, former bookkeeper for Carpenters Local 1553, pled guilty to one count of embezzling \$2,275 in union funds. The charges were brought following an investigation by the OLMS Los Angeles District Office.

On July 13, 2001, in the United States District Court for the Southern District of Indiana, Michele Terrell Spargur, former office secretary for Carpenters Locals 364 and 1124, pled guilty to two counts of embezzling a total of \$29,673 in union funds and two counts of destroying union records. The charges were brought following an investigation by the OLMS Cincinnati District Office.

On July 11, 2001, in the United States District Court for the Northern District of New York, Nancy Groome, former secretary-treasurer of the Civil Service Employees Association, Local 316 of the State, County, and Municipal Employees, pled guilty to one count of embezzling \$111,476.48 in union funds. The charges



were brought following an investigation by the OLMS Buffalo District Office.

On July 9, 2001, in the Circuit Court for the City of Newport News, Virginia, Stanley Coppedge, former grievance person for Steelworkers Local 8888, was indicted on charges of defrauding the Newport News Shipbuilding Company and/or Steelworkers Local 8888 by obtaining money or property by false pretenses. The charges were brought following an investigation by the OLMS Washington District Office.

On July 9, 2001, in the United States District Court for the Southern District of West Virginia, Donna Hill, former office secretary for Painters Local 970, pled guilty to count one of an indictment which charged her with embezzling \$59,167 in union funds. The charges were brought following an investigation by the OLMS Pittsburgh District Office.

On June 27, 2001, in the United States District Court for the District of Massachusetts, Leo MacGillvray, former treasurer of Utility Workers Local 446, pled guilty to a one-count information charging him with embezzling \$86,311 in union funds. The charges were brought following an investigation by the OLMS Boston District Office.

On June 27, 2001, in the United States District Court for the Southern District of Illinois, Rhonda Ostendorf, former bookkeeper for Painters District Council 58, pled guilty to one count of embezzling \$6,331 in union funds and one count of false statements under 18 U.S.C. 1001. The charges were brought following an investigation by the OLMS St. Louis District Office.

On June 21, 2001, in the United States District Court for the Eastern District of California, Jeremias Z. Lopez, former business manager/secretary-treasurer of Laborers Local 220, was indicted on one count of embezzling \$10,814 in union funds and one count of falsifying union records. This case was investigated by the OLMS Los Angeles District Office jointly with the Department of Labor's Office of the Inspector General.

On June 20, 2001, in the United States District Court for the Southern District of Ohio, Emanuel Graham, president of American Federation of Government Employees Local 2031, was indicted on 16 counts of violating 18 U.S.C. 287 by filing false claims for travel and per diem expenses with the Veterans Administration when he had already been reimbursed for those expenses by the union. He was indicted on 16 additional counts of violating 18 U.S.C. 641 for theft of U.S. government money corresponding to those claims. The charges were brought following an investigation by the OLMS Cincinnati District Office.

On June 17, 2001, James E. Cole, General Secretary of the Iron Workers International Union, pled guilty in the United States District Court for the District of Columbia to one count of union funds embezzlement, one count of failing to disclose a material fact in a union financial report filed with the U.S. Department of Labor, and one count of making a false entry in union records. Mr. Cole had been charged in an 18-count indictment on January 3, 2001, with embezzlement of more than \$10,000 in union funds, false reporting and mail fraud. The OLMS Washington District Office conducted the investigation with assistance from the FBI. Mr. Cole is the fourth official of the Iron Workers to plead guilty as a result of the investigation.

On June 15, 2001, Earnest W. Carter, former financial secretary and business manager of Sheet Metal Workers Local 399, was charged in a one-count information in the United States District Court for the District of South Carolina with embezzling \$22,092 in union funds. The OLMS Atlanta District Office conducted the investigation.

On June 15, 2001, in the United States District Court for the Northern District of Texas, Gary Monsson, former secretary-treasurer of AFGE Local 3000, pled guilty to an information charging him with embezzling \$51,464.49 in union funds. The charges were brought following an investigation by the OLMS Dallas District Office.

On June 12, 2001, in the United States District Court for the District of North Dakota, Bryan Kroh, former secretary-treasurer of Brotherhood of Locomotive Engineers Division 746, pled guilty to one count of embezzling \$33,469 in union funds. The charges were brought following an investigation by the OLMS Minneapolis Resident Investigator Office.

On May 31, 2001, in the United States District Court for the Western District of Pennsylvania, Richard P. Miller, former secretary-treasurer of United Railway Supervisors Local 202, pled guilty to a one-count information charging him with embezzling between \$20,000 and \$40,000 in union funds. The charges had been brought following an investigation by the OLMS Pittsburgh District Office.

On May 31, 2001, in the United States District Court for the Northern District of Alabama, a two-count indictment was returned charging Patricia Smith, former office secretary for the Laborers Alabama District Council, with one count of embezzling \$21,687.85 in union funds and one count of making false entries in records required to be maintained. The charges were brought following an investigation by the OLMS Birmingham Resident Investigator Office.

On May 31, 2001, in the United States District Court for the Northern District of Alabama, a two-count indictment was returned charging Eugene Wilkinson, former financial secretary of Mine Workers Local 7154, with one count of embezzling \$12,024.89 in union funds and one count of false reporting. The charges were brought following an investigation by the OLMS Birmingham Resident Investigator Office.

On May 21, 2001, in the United States District Court for the District of Kansas, J. Craig Rider, former business manager of Laborers Local 1290, pled guilty to charges that he embezzled \$15,345 in union funds. The charges had been brought following an investigation by the OLMS St. Louis District Office.

On May 15, 2001, in the United States District Court for the District of New Jersey, Stephen Burks, former comptroller of State, County and Municipal Employees Council 71, was indicted on one count of embezzling over \$23,000 in union funds. The charges were brought following an investigation by the OLMS Philadelphia District Office.

On May 14, 2001, in the United States District Court for the Eastern District of Virginia, Donnie L. Block, former president of Bakery & Tobacco Workers Local 66, pled guilty to one count of embezzling \$38,702 in union funds. The charges had been brought following an investigation by the OLMS Washington District Office.

On May 14, 2001, in the United States District Court for the District of Hawaii, Glenn Reys, former secretary-treasurer of Letter Carriers Branch 4644, entered a guilty plea to one count of embezzling \$2,000 in union funds and one count of filing a false labor organization annual report, Form LM-4. The charges had been brought following an investigation by the OLMS San Francisco District Office.

On May 11, 2001, in the United States District Court for the Eastern District of Missouri, Roy Keith Harris, former financial secretary of Steelworkers Local 11-659, entered a plea of guilty to the embezzlement of \$28,123 in union funds. The charges had been brought following an investigation by the OLMS St. Louis District Office.

On May 11, 2001, in the United States District Court for the Middle District of Tennessee, Robert Emery, Sr. former financial secretary of International Brotherhood of Electrical Workers Local 429, was indicted on three counts of embezzling a total of \$16,851 in union funds and two counts of failure to file Form LM-30, Labor Organization Officer and Employee Report, relating to transactions the union conducted with a T-shirt business owned by his wife. His wife was charged in one count of the indictment with aiding and abetting him in embezzling \$5,340 for her personal benefit. Terri Myatt, Local 429 office manager, was also charged in one count of the indictment with aiding and abetting Mr. Emery in embezzling \$5,818 for her personal benefit. The charges were brought following an investigation by the OLMS Nashville District Office.

On May 8, 2001, in the United States District Court for the Eastern District of Wisconsin, Robert Gordon, former financial secretary-treasurer of State, County, and Municipal Employees Local 366, was indicted on six counts of embezzling \$88,000 in union funds and making false entries in union records. The charges were brought following an investigation by the OLMS Milwaukee District Office.

On May 4, 2001, in the United States District Court for the District of Kansas, Britt Commons, former business manager of International Brotherhood of Electrical Workers Local 1523, entered a plea of guilty

to falsifying union records to conceal an embezzlement of \$8,025 in union funds. The charges had been brought following an investigation by the OLMS St. Louis District Office.

On April 25, 2001, in New York County, Laura Greco, former treasurer of Local 1501, State, County and Municipal Employees (District Council 37), was indicted for grand larceny in the amount of \$8,965 for using union funds for personal expenses. The charges were the result of information provided by the OLMS New York District Office.

On March 26, 2001, in the United States District Court for the Southern District of Alabama, Frederick Michael Jordan and Robert Gaillard, president and former treasurer, respectively, of Local 1575 of the Paper, Allied-Industrial Chemical and Energy Workers International Union (PACE), each pled guilty to one count of failing to maintain union records. The charges had been brought following an investigation by the OLMS New Orleans District Office.

On March 23, 2001, in the United States District Court for the Northern District of Iowa, Steven Lathrop and Randy Kamp, former treasurer and president, respectively, of Local 07-9937 of the Paper, Allied-Industrial Chemical and Energy Workers International Union (PACE), entered guilty pleas to informations charging them with embezzling \$52,997 in union funds. The charges were brought following an investigation by the OLMS St. Louis District Office.

On March 21, 2001, in the United States District Court for the Eastern District of Tennessee, Donald G. Martin, former financial secretary of Steelworkers Local 35-8681, was indicted on fifty counts of embezzling a total of \$10,591 in union funds, five counts of making false entries in union records, and two counts of false reporting. The charges were brought following an investigation by the OLMS Nashville District Office.

On March 20, 2001, in the United States District Court for the Central District of Illinois, Robert Comerford, former treasurer of Letter Carriers Branch 31, pled guilty to one count of embezzling in excess of \$10,000 in union funds. The charges had been brought following an investigation by the OLMS Chicago District Office.

On March 19, 2001, in the United States District Court for the District of Oregon, Barclay Grayson, a minority owner and President of Capital Consultants, LLC, pled guilty to one count of mail fraud in connection with his participation in a scheme to defraud union pension plans in violation of 18 U.S.C. 1341. The charges had been brought following an investigation by the OLMS Seattle District Office, the IRS, the FBI, the Department of Labor's Pension & Welfare Benefits Administration, and the Department of Labor's Office of the Inspector General.

On March 16, 2001, in the United States District Court for the District of Minnesota, Janet Hornsby, former office secretary/bookkeeper of Plumbers Local 6, pled guilty to one count of embezzling \$54,649 in union funds. The charges had been brought following an investigation by the OLMS Minneapolis Resident Investigator Office.

On March 9, 2001, in the United States District Court for the Central District of California, Wilfield Bloomfield, former bookkeeper for Carpenters Local 1553, was indicted on 12 counts of embezzling \$25,140.57 in union funds. The charges were brought following an investigation by the OLMS Los Angeles District Office.

On March 8, 2001, in the United States District Court for the District of Minnesota, Elliot Cohn, president of a Florida-based firm that held itself out as providing collective bargaining and related services to labor organizations, pled guilty to one count of mail fraud which charged him with defrauding the Minnesota Licensed Practical Nurses (MLPNA) of \$22,248 in reimbursement for airfare expenses never incurred, fraudulently increasing his compensation from the Technical Employees Association of Minnesota (TEAM) – which compensation was a percentage of TEAM's expenses, and fraudulently increasing his firm's compensation from TEAM from 70% of dues after TEAM expenses were paid to 100% of that amount, which resulted in an overpayment of \$31,670. The charges had been brought following an investigation by the OLMS Minneapolis Resident Investigator Office.

On March 6, 2001, in the United States District Court for the District of North Dakota, Bryan Kroh, former treasurer of the Brotherhood of Locomotive Engineers Division 746, was indicted on one count of embezzling \$33,469 in union funds and one count of making false statements in violation of 18 U.S.C. 1001 by filing false LM-3 Labor Organization Annual Reports with OLMS. Also indicted was Kroh's spouse, Dinah, on one count of aiding and abetting him in embezzling \$6,105 of the total amount he was charged with embezzling. The charges were brought following an investigation by the OLMS Minneapolis Resident Investigator Office.

On February 28, 2001, the District Attorney of Armstrong County, Pennsylvania charged Gail McGranahan, a former employee of Mine Workers Local 1378, with 20 counts of forgery and 20 counts of theft and is seeking \$6,610 in restitution to the union. The charges were brought following an investigation by the OLMS Pittsburgh District Office.

On February 28, 2001, in the United States District Court for the District of Colorado, Shelley Sue Pfeifer, former bookkeeper-office secretary for Plasters Local 577, was indicted on charges of embezzling \$16,493.27 in union funds. The charges were brought following an investigation by the OLMS Denver District Office.

On February 26, 2001, in the United States District Court for the District of Oregon, John Abbott, former secretary-treasurer of the Laborers District Council of Oregon, Southern Idaho, and Wyoming, pled guilty to one count of accepting \$194,940 in gratuities to use his influence as a pension plan trustee in violation of 18 U.S.C. 1954 and one count of filing a false tax return by omitting gratuities of \$76,560 in violation of 26 U.S.C. 7206(1). The charges had been brought following an investigation by the OLMS Seattle District Office, the IRS, FBI, the Department of Labor's Pension and Welfare Benefits Administration, and the Department of Labor's Office of the Inspector General.

On February 20, 2001, in the United States District Court for the Western District of North Carolina, a one-count bill of information was filed charging Terry K. Wilson, former secretary-treasurer of Steelworkers Local 1133-L, with embezzling \$22,073 in union funds. The charges were brought following an investigation by the OLMS Nashville District Office.

On February 14, 2001, in the United States District Court for the Eastern District of Wisconsin, Shawn Drake, former secretary-treasurer of Local 736 of the Paper, Allied-Industrial Chemical and Energy Workers International Union (PACE), was indicted on one count of embezzling \$17,419 in union funds. The charges were brought following an investigation by the OLMS Minneapolis Resident Investigator Office.

On February 5, 2001, in the United States District Court for the Middle District of Florida, Barry James, former president of Musicians Local 389, pled guilty to a one-count information for filing a false labor organization annual financial report. The charges were brought following an investigation by the OLMS Atlanta District Office.

On January 17, 2001, in the United States District Court for the District of Columbia, Gregory Floto, president of Treasury Employees Chapter 116 in Tucson, Arizona, was indicted on seven counts of mail fraud/deprivation of honest services (three counts), making false statements (three counts), and obstruction of justice (one count). The charges were brought following a joint investigation by the OLMS Los Angeles District Office and the U.S. Customs Service Office of Internal Affairs.

On January 9, 2001, in the United States District Court for the Western District of North Carolina, a one-count indictment was returned charging Roger Causy, secretary-treasurer of Food and Commercial Workers Local 427-C, with embezzling \$13,218 in union funds. The charges were brought following an investigation by the OLMS Nashville District Office.

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<http://www.sodahead.com/united-states/union-bosses-to-workers-show-us-the-money/blog-304073/>

We're told that union leaders are supposed to be Robin Hoods who stick up for the little guy and fight for workers.

Actually, union bosses are well-compensated for their work, and the less unions help workers or companies the more union bosses help only themselves.

Unions are quick to criticize corporations and executive salary, but **corporations actually create wealth and add to the economy**. Unions on the other hand are only labor monopolies that boost members' salaries by shutting out other workers, and union bosses get a cut of the action by sucking off members' dues like a parasite.

Worse, when labor unions ask their members to take a pay cut, the union bosses still get to keep their fat paychecks, expense accounts, free cars, free air travel, political appointments, and other perks.

Check out the annual pay of the union bosses listed below, and ask if it's right that union bosses who run **tax-exempt** organizations are allowed to be such **parasites**.

Notice that some union boss salaries seem less deserving than others. Consider that the public employee and teacher unions tend to have very highly paid bosses, paid for by dues from government workers **funded by your tax dollars**. Notice that the union bosses of the United Auto Workers (UAW) still made over six figure incomes while the auto industry they sucked dry tanked and tax payers were left with the bill for the bailout

**American Federation of State County & Municipal Employees (AFSCME)**

Gerald Mcentee  
Intl President  
\$ 629,291

William Lucy  
Intl Secretary-treasurer  
\$ 359,031

Marcie Balow  
Lee Saunders  
Executive Asst To Pres  
\$ 249,134

Paul Booth  
Executive Asst To Pres  
\$ 232,380

**American Federation of Teachers (AFT)**

Edward Mcelroy  
President  
\$ 368,985

Nathaniel Lacour  
Secretary-treasurer  
\$ 308,585

Antonia Cortese  
Ex Vice President  
\$ 292,946

David Dorn  
Dept Dir Intl Affair  
\$ 234,467

Philip Kugler  
Ast To Pres For Org  
\$ 219,493

**National Education Association (NEA)**

Reg Weaver  
President  
\$ 417,858

John Wilson  
Exec Director  
\$ 351,803

Lily Eskelsen  
Nea Secty/treas  
\$ 337,867

Dennis Van Roekel  
Nea Vp  
\$ 329,045

Joann Waller  
Regional dir  
\$ 314,790

**Teamsters (IBT)**

James Hoffa  
Gen President  
\$ 297,772

C Keegel  
Gen Sec-treasur  
\$ 281,976

Forrest Johnson  
VP Trd Div Dir Intl Rep  
\$207,740

Richard Bell  
Exec Asst To Gst  
\$ 183,964

Cheryl Johnson  
Dept Director  
\$ 178,116

**United Food & Commercial Workers (UFCW)**

Joseph Hansen  
International President  
\$ 336,776

Gary Nebeker  
Retired Intl Vp  
\$ 326,248

Susan Phillips  
Retired Intl Vp  
\$ 285,721

Anthony Perrone  
Intl Secretary-treas  
\$ 283,005

Warren Barclay  
Intl Vice President  
\$ 281,860

**Service Employees (SEIU)**

Andrew Stern  
International President  
\$ 249,599

Anna Burger  
Intl Secretary Treasurer  
\$ 221,886

Gerald Hudson  
Ex Vice President  
\$ 220,984

Mary Kay Henry  
Ex Vice President  
\$ 209,443

Eliseo V Medina  
Ex Vice President  
\$ 203,623

**AFL-CIO**

John Sweeney  
President  
\$ 291,718

Linda Chavez-Thompson  
Executive Vice President  
\$ 241,307

Richard Trumka  
Secretary-treasurer  
\$ 233,260

Robert Welsh  
Ex Assistant To Pres  
\$ 184,642

Jonathan Hiatt  
General Counsel  
\$ 179,472



**Postal Mail Handlers (NPMHU)**

John Hegarty  
National President  
\$ 196,318

Mark Gardner  
National Sec Treasurer  
\$ 185,783

William Flynn Jr  
Cad Manager  
\$ 129,561

Thomas Branch  
Cad Rep  
\$ 116,810

Dallas Jones  
Cad Rep  
\$ 116,520

**United Auto Workers (UAW)**

Ronald Gettelfinger  
President  
\$ 156,278

Mary Bunn  
Sec/treas  
\$ 153,263

Donald Oetman  
Regional Dir  
\$ 148,766

Dan Sherrick  
Attorney  
\$ 144,878

Calvin Rapson  
Vice Pres.  
\$ 144,741

## The new face of labor

**There's a reason organized labor is suddenly showing signs of life. His name is Andy Stern. He's like no union boss you've ever seen.**

By Rik Kirkland, Fortune contributor  
October 10 2006: 1:54 PM EDT

(Fortune Magazine) – In a sunlit office overlooking Dupont Circle in Washington, D.C., union leader Andrew Stern, 55, is sipping coffee and holding a midmorning meeting with a few top aides. The subject is a study on the future of government - a topic of deep interest since roughly half the 1.8 million members of his Service Employees International Union (SEIU) work in the public sector. It's solid leader-as-visionary stuff but fairly predictable until, as things wind to a close, Stern suddenly kicks it up. Way up.

### A battle brews in Congress

"One last thing," he says. "I really think it's critical you reach out to hear from Grover Norquist or Stephen Moore," referring to two influential Republican advocates of the slash-taxes-and-starve-the-government approach to fiscal policy. "You need to understand what they think is core and what might be privatized."

Stern pauses and looks around the room. "We all know what will happen if we talk only among ourselves. We'll end up wanting to preserve everything. And that just ensures we'll be fighting a war of attrition, where it's all about 'How do we hang on to these 100 jobs?' " People start to nod, and he breaks into a wide grin. "Nobody wins a war of attrition. What we need to figure out is ... how we can go on the offensive."

That's not just the coffee talking. While most labor generals have spent their careers waging the Long Retreat - the percentage of U.S. workers who belong to a union has fallen from a third in 1950 to barely 12 percent today - Stern stands out as a leader who knows how to attack. And win.

### A man of action

Since he took charge in 1996, the SEIU has become the country's largest and fastest-growing union, adding more than 800,000 members, many of them in low-wage, hard-to-organize sectors such as security, janitorial services and home health care. He did that by cutting headquarters staff, dedicating most of his budget to field organizers and consolidating some 170 balkanized locals to strengthen their negotiating clout.

More broadly, you could argue that Stern is almost single-handedly reinvigorating a national labor movement. Maybe you've noticed California's recent decision to raise its minimum wage? Or the grass-roots campaigns that have put Wal-Mart (Charts) on the defensive over its pay and health benefits? Or this summer's huge and noisy pro-immigration rallies in cities like Los Angeles and Washington, D.C.? Stern and the SEIU's manpower and money were behind them all.

His boldest move came last year when, after failing to persuade AFL-CIO head John Sweeney to adopt his aggressive playbook, he walked out. Joined first by the Teamsters and soon after by five other like-minded union heads, Stern formed Change to Win - the country's first new labor federation in 50 years.

With more than six million workers, it's already a serious rival to the nine million workers (in 53 unions) who remain in the AFL-CIO. Though that shocking split continues to outrage many fellow labor bosses, Stern insists he had no choice. "We're going through the most profound, the most transformative economic revolution any generation has ever experienced," he says. "You either change to make history, or stick to the status quo and become history."

Stern's efforts to modernize the way unions work go well beyond his willingness to live on his Treo or blog regularly on the oh-so-happening Huffington Post. He has merged and purged dozens of the SEIU's union locals, some of them notoriously corrupt. And he believes labor needs a "bigger footprint" than it can ever gain by simply delivering a good deal for its own members.

That's why, though the SEIU has no stake in organizing workers at Wal-Mart, Stern nonetheless cooked up the idea for the grass-roots pressure group Wal-Mart Watch, and is now spending nearly \$4 million a year to support it. "If your goal is to make work pay for everyone," he says, "you can't ignore what's happening at the nation's largest employer."

### **Politics makes strange bedfellows**

And then there are the unusual types he's lately taken up with, like Newt Gingrich. In his new book, "A Country That Works: Getting America Back on Track" - part memoir, part manifesto - Stern admits that a decade ago he considered Newt the "devil incarnate." But after they met, he writes, he concluded that Gingrich's ideas - especially about how labor needs to adapt to a knowledge and service economy - "reinforced much of my own thinking." (Gingrich declined to be interviewed.)

Stern also studies the Republicans because they know how to win. He raised eyebrows when he invited Steve Moore, co-founder of the Club for Growth - which often goes after Republican apostates from its anti-tax stand - to address his union. "I thought, The guy has a couple of things going for him," says Stern. "One, he actually believes in something, and two, he scares the hell out of folks."

Despite spending \$65 million trying to defeat George Bush in 2004, far outstripping any other union's spending, Stern insists he has zero interest in perpetuating labor's role as the loyal financier of the Democratic Party. Instead, he's forming a new PAC, called They Work for Us. Modeled on the Club for Growth, it will target Democrats who get elected after 2006 pledging to support SEIU's economic agenda and then fail to deliver. "If that happens, we'll unelect them," says Stern.

Everybody doesn't love Andy. His eagerness to question labor's orthodoxies offends the old guard. Dismissing his rival as "a rather small peacock," machinists' union head Tom Buffenbarger accused Stern in the *New York Times Magazine* last year of "trying to corporatize the labor movement." On the right, some conservatives like David Horowitz and Richard Poe, authors of a new book, "The Shadow Party," view Stern as a "radical" bent on using his power as a Democratic "cash cow" to yank the party to the left.

Many CEOs and pro-business types simply don't want to talk about him - they have little to gain by praising a union leader who's actually proving effective, and less by crossing him publicly. But the few who will speak on the record say that his efforts to think differently and find some rare bipartisan ground are the real deal.

"Andy is absolutely straight-up," says David Lawrence, the former head of Kaiser Permanente, with whom Stern settled a bitter, long-running labor dispute in 1997. "He's neither defensive nor paranoid and takes a pragmatic approach to solving problems."

"He's a maverick with his own mind and his own way of running things," says California governor Arnold Schwarzenegger, who invited Stern to be one of a handful of speakers at a star-studded health-care conclave he hosted this summer.

"Andy's a breath of fresh air," agrees Tom Donohue, president of the U.S. Chamber of Commerce, which is girding for a fight in the next Congress over the rules governing the recognition of unions.

Now Stern is taking on his biggest challenge yet. In July he issued a manifesto on the op-ed page of the *Wall Street Journal* calling for an alternative to employer-based health coverage. Stern also sent a letter to every Fortune 500 CEO calling on them to join him in devising a new and better national system.

"The old idea that business and labor can't work together for the common good is as outdated as lifetime jobs," he declared in a fine rhetorical flourish. Never mind that Washington handicappers give Stern's assault about the same odds of success as Pickett's charge up Cemetery Ridge. He just shrugs: "You have to stumble around - and hope you stumble forward."

### **Cleaning up the SEIU**

"That's the vault I told you about," says Andy Stern. It sure is. I am staring at a huge stainless-steel door that looks like something Scrooge McDuck would order up to protect his stash from the Beagle Boys. Around the corner are other jaw-dropping touches: a personal elevator, a luxurious marbled bathroom and a vast kitchen. "Never used," he volunteers. "No one was allowed up here except Gus's assistant."

"Here" is a soon-to-be-renovated expanse of the 23rd floor of 101 Avenue of the Americas. "Gus" is a son of lower Manhattan named Gus Bevona, who from this place long ruled SEIU local 32BJ, which represents New York City's doormen, janitors and security guards. (John Sweeney picked Bevona to succeed him as head of the local in 1980, when Sweeney became the SEIU's national boss; Bevona continued to pay Sweeney \$70,000 to \$80,000 a year in "consulting fees" on top of his national salary.)

In exchange for delivering his members excellent salaries and benefits, Bevona felt entitled to construct his penthouse Xanadu with river views and pay himself north of \$400,000 a year - reportedly the highest salary of any union head. (Stern's salary last year: \$230,000.) His was an extreme case of a corrupt management model all too typical in many old-style unions.

Bevona's reign ended in 1999 when Stern asserted the national union's right to put the local into trusteeship and tossed Gus from his pleasure dome. "This was slaying the dragon," he says. Over time, Stern adds, he has had to trustee more than 40 SEIU locals.

"Everywhere I go there's one big fight," he told a reporter from the *Philadelphia Inquirer* early last year. It was a throwaway line that rings true. Stern spent his early years leading long and bitter civil service strikes in Pennsylvania. (He grew up Jewish and middle class in West Orange, N.J., where his father was a lawyer; he launched his union career after graduating from the University of Pennsylvania and becoming a social worker.)

In 1984, Sweeney recruited him to be the SEIU's chief organizer, which required traveling around the country banging heads with employers. In 1995, Stern helped lead the insurrection that forced out longtime AFL-CIO head Lane Kirkland and put Sweeney in his place. Early the next year, when Sweeney tried to install a hand-picked successor as the SEIU's head, Stern announced his own candidacy. He was promptly fired and escorted from his office. So he took to the road in a six-week insurgency that ultimately led to his election as president.

### **Life and death decisions**

Some of Stern's relentless intensity is temperament, some of it has been shaped by life - and death. In 2002, Stern's 13-year-old daughter Cassie, who had always been unusually tiny and suffered from poor muscle tone and scoliosis, died in his arms after complications from surgery. His marriage unraveled, and he moved into a sparsely furnished apartment with Cassie's older brother, Matt, who this fall started college in South Florida.

In his book, Stern writes movingly about how the pain of losing his daughter and the memory of her courage reinforced his determination to "find his voice to do what's right." It's not something he goes on about in person, though he doesn't shy from the subject either. In hours of interviews, he brought Cassie up once, recalling how he dealt with the "character assassination" that greeted his decision to leave the AFL-CIO: "My daughter's death was one of those life-changing things where you say, 'All right, nothing can hurt me more than I've been hurt, so go for it.'"

### **Rallying the troops**

"We want to make labor costs resemble electricity," Stern likes to say. "We want employers to compete on how they use capital, innovation, technology and management creativity - not on how they screw their workers."

The basic playbook was developed by Stern and the SEIU more than 15 years ago to organize janitors in Los Angeles.

Rather than pressure the weakest individual employers to raise salaries and benefits - which simply makes the unionized workers uncompetitive with non-union wages - they try to organize the entire industry. The device of choice is what's called a trigger agreement: If employers agree not to interfere with the SEIU's organizing efforts, it promises not to begin collective bargaining until a clear majority of the market has recognized the union.

Using this approach in New Jersey, the SEIU swung from having almost no presence five years ago to representing more than 6,000 janitors, whose pay nearly doubled from the minimum wage, to more than \$11 an hour. Late in 2005 in Houston, the SEIU hit its trigger and formed a local with 5,300 janitors, the most successful private-sector organizing drive in the Sunbelt in years. (Talks on wages and benefits are still ongoing.)

Nationally over the past decade the SEIU has moved from having a shrinking membership in property services to adding 100,000 members and negotiating master agreements that cover between 60 and 90 percent of the market, depending on the city.

In building membership, Stern prefers to use the "power of persuasion." Says he: "The labor movement has proved that going out on strike at the first sign of trouble is a losing strategy." On the persuasion front he can point to numerous successful partnerships. The SEIU's peace pact with Kaiser Permanente, for example, has delivered tens of millions of dollars in cost savings to the company by reducing the time it takes to change shifts and finding other efficiencies.

With nursing home operators in many states, SEIU offers to use its clout with legislatures, which often fund such operations, in exchange for union recognition. But if companies balk, Stern doesn't hesitate to rely on the "persuasion of power" - ready-for-prime-time picket lines, say, or creative civil disobedience.

In its latest drive to organize Los Angeles and New York City security guards, a majority of whom are black, SEIU has begun reaching out to black church leaders for their support in galvanizing what Stern calls "a broader social justice movement."

### **Thinking globally**

Stern has also been in the vanguard pressing unions to start thinking globally. "Most of us considered international union meetings little more than an exercise in Tourism 101," admits Bruce Raynor, president of Unite Here, which represents hospitality and garment workers and is part of Change to Win.

Recently, for example, Raynor's Unite Here partnered with France's largest union, the CGT, which helped it organize 900 workers in Indianapolis by putting pressure back home on their employer, French conglomerate PPR.

Stern himself is partnering with the TGWU, England's giant transport union, to assist its push to organize janitors in London. In exchange the TGWU is helping him raise the heat on a British bus company that he feels has been slow to recognize unions in its American operations. "We all increasingly deal with the same group of multinational employers," says Stern. "By working together we may be able to use the global economy to our advantage."

A big wild card is China. In 2002, when Stern made his first trip there, most American union heads still considered it "heresy," as he puts it, to meet with the government-controlled lapdog group, the All China Federation of Trade Unions (ACFTU). "But I believe that during historical moments of transition," he says, "people transform themselves to represent the interests of their constituents."

Four years, four more visits, and billions of dollars of foreign investment later, he sees signs that change is on the way. Recently the ACFTU forced Wal-Mart to allow it to organize workers in its mainland stores, and Stern hopes to send observers soon to watch the process. How deep can such global alliances go? "There are no models," he admits.

"Still, it's amazing how change happens sometimes. Like Newt Gingrich says, 'You just have to plan back from victory.'" Ah. There he goes again.

"How can America compete in a global economy when we're the only country that puts the price of health care on the price of our products?" Jacket off, sleeves of his purple shirt rolled up - Stern declared purple the SEIU's "brand" a few years back - he is shouting out to a largely black and Latino crowd at a pre-Labor Day rally at St. Vincent's Hospital in Manhattan. ("Mmm-huh.... That's right," mutter the women sitting beside me.)

"That's why I wrote to the Fortune 500 CEOs and said, 'Wake up, guys! Where's your leadership?' " ("Mmm-huh, yes.")  
"And here's the amazing thing. All these people started writing back. I even heard from my favorite friends at Wal-Mart." (Laughter.) "You know, Lee Scott, the CEO of Wal-Mart, was on that Charlie Rose interview show, and he said, 'Business and labor have to work together on health care.' I thought he couldn't get those words out of his mouth!" (Big laughter.)

### **Mediating labor and business**

It's great political theater, and it's hard to quarrel with Stern's indictment of the current system's shortcomings - the soaring costs, the declining coverage, the unique way company-based health care hampers American competitiveness. Safeway (Charts) CEO Steve Burd told a U.S. Chamber of Commerce audience earlier this month, "I could have written" Stern's *Wall Street Journal* op-ed, adding, "He's talking about the same kinds of things I'm talking about."

The logic behind reaching out to business is compelling as well. As Stern explained to the crowd at St. Vincent's, "One reason the Clinton plan failed back in 1994 is that it had no employer support; that's why we're spending so much time with our employers."

In pushing for a new consensus, Stern, beyond briskly dismissing one pet Republican panacea - expanded health-savings accounts - has been careful to avoid drawing nonnegotiable lines around how a new deal might work. As long as there's a basic benefit for all, a choice of plans and doctors, and some kind of shared financing among business, government and individuals, he says, it's all up for grabs.

"I believe he doesn't have a predetermined answer," says George Halvorsen, current head of Kaiser Permanente. "I've had several Fortune 500 CEOs ask me about Andy's letter, and I tell them, 'Absolutely talk to the guy. He is what he appears to be.'"

And yet none of the big-company CEOs that *Fortune* contacted - and with whom Stern has met - were willing to speak with us. Is that because they don't think they'll agree with his solutions? Or are they uncomfortable about being seen making public policy whoopee with a fellow who plays such an active political role, buys his purple T-shirts by the hundred thousands and regularly send his troops to demonstrate noisily in the streets? Stern suspects that it's the latter. "We've become such a hot-button issue," he admits, suggesting that perhaps he needs "a third party, some neutral group like McKinsey," to convene a forum that could take this closeted conversation into the daylight.

Even so, Stern remains relentlessly upbeat. "There's clearly a growing group of employers who think change in health care has to be fundamental and not incremental," he says. But he can't resist pointing out that folks who profess interest in his call "to reinvent the social contract" and "be more bipartisan" - and then cling to the sidelines - have to understand something he figured out long ago.

"You can get rid of Uzis and still have handguns," he says. "You can work with Big Pharma and still criticize Big Pharma. You can go to a meeting with Arnold Schwarzenegger and still endorse Phil Angelides [the SEIU is backing the Governor's Democratic opponent in the upcoming election]. Life is complicated. But making it simple isn't dealing with reality."

### **Inside the mind of Andy Stern**

Not every boss's office bookcase offers a window into his soul, but this one does. Stern is showing me his annotated-by-Newt copy of Alvin and Heidi Toffler's "Creating a New Civilization." (Gingrich wrote the foreword.) Next to it: a copy of "What Leaders Really Do," by Harvard management guru John Kotter. ("Kotter's good, but I've probably learned more from my own failures," Stern says.)

On the shelf above is a bright-green bumper sticker asking, WHAT WOULD WELLSTONE DO? (as in Paul Wellstone, the Minnesota Democrat who led the party's progressive wing until he died in a plane crash in 2002). Life is indeed complicated.

Alongside the stuff you'd expect - pictures of the kids and Stern with Presidents (Clinton and the current Bush) and would-have-been Presidents (Dean and Kerry) - are more telling souvenirs.

There's a mock baseball card detailing the stats of one Mort "Trash Can" Zuckerman. It dates from the early '90s when the SEIU's janitors invaded the developer/publisher's annual Artists and Writers softball game in the Hamptons and handed out the cards to get attention during a labor dispute.

There's a brass head of, yes, Gus Bevona, taken from a plaque that hung outside the House That Gus Built. (Also "the clicker he used to control his TV-spy cameras," Stern points out.) And over there on the bottom right, looking like fragments lifted from a Roman ruin, are six big iron letters taken from the SEIU's former headquarters that spell out ... of course, "AFL-CIO."

With 20 minutes to spare before his next meeting, Stern is happy to share a few last thoughts about the challenges of tearing down the old and building a true "21st-century union." Yes, the problems of defending a shrinking number of high-wage manufacturing jobs are different from organizing the growing ranks of lower-wage service workers. But what they have in common is the need to confront industry with one union that can bargain hard and solve problems. "Look at the airlines," he says. "Thirteen unions are a recipe for infighting, constant concessions, and a downward wage spiral." The 53 AFL-CIO unions, he believes, should regroup into 20.

And then he's off on even more futuristic topics: Could he form a for-profit, employee-owned company to provide temporary staff to his corporate partners in the nursing-home business? Does the SEIU need a new name without the word "union" in it? What can unions learn from evangelical megachurches about serving and delighting their congregations? Could he use text messaging to poll members faster?

But time's up: An aide is giving us the cut sign. For his next meeting, an entrepreneur is dropping by to explain how he has developed greener ways to clean buildings. As I walk out, though, Stern is first telling the guy about My Life, a Web site that he hopes to launch in 2007 to begin providing his members the same broad range of services that AARP delivers to retired folks.

And that's the image that lingers in my head as I stroll down the corridor: Andy Stern leaning forward in khaki pants and purple shirt, mind racing, mouth moving, talking, listening, brainstorming, questioning ... and always, always, looking for a way to stay on the offensive.



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# FACT SHEET

**Incoming AFL-CIO President**

## **Richard Trumka:**

**An Ugly History of Violence and Corruption**

Richard Trumka, former United Mine Workers (UMW) union president and current secretary-treasurer of the AFL-CIO, is expected to be elected this week as president of the nation's largest union coalition. Trumka's record of militancy, disregard for the rule of law, and condoning of violence by union goons during strikes suggests that his presidency of the AFL-CIO could usher in a new era of forced-unionism extremism.

***Trumka's reign (1982-1995) as president of United Mine Workers (UMW) union was marked by militancy, strikes, and union violence***

- Trumka's fiery rhetoric often appeared to condone militancy and violence, especially against workers who dared to continue to provide for their families by working during a strike
  - "UMWA President Richard Trumka...urged union members to... 'kick the (expletive) out of every last one of 'em.'"<sup>1</sup>
  - "You'd have to be very naïve to believe that if management brought in scabs, there won't be something somewhere."<sup>2</sup>
  - "I'm saying if you strike a match and you put your finger in it, you're likely to get burned. That doesn't mean I'm threatening to burn you. That just means if you strike the match, and you put your finger in it, common sense will tell you it'll burn your finger."<sup>3</sup>



- That's exactly what happened during three violent UMW strikes during Trumka's presidency
  - 1993 UMW strike against Peabody Coal -- Eddie York, a 39 year old non-union worker, "was **shot in the back of the head and killed**" leaving a job in Logan County, West Virginia. "Guards told police the truck careened across the road and went into a ditch. **When guards rushed over to check on York, they continued to be pelted with rocks**, guards told police."<sup>4</sup>
  - In a detailed account of the York murder and subsequent investigation, *Reader's Digest* noted that "UMW President Richard Trumka did not **publicly discipline or reprimand a single striker present when York was killed**. In fact, all eight were helped out financially by the local."<sup>5</sup>
  - Eventually, the union agreed to let the company "dismiss the eight original defendants if they were convicted," but when the company "issued letters of dismissal to the seven pickets who pleaded guilty," the union filed a grievance on their behalf.<sup>6</sup>
  - Trumka and other UMW officials were charged in a \$27 million wrongful death suit by Eddie York's widow. After fighting the suit intensely for four years, UMW lawyers settled suddenly in 1997<sup>7</sup> -- just two days after the judge in the case ruled evidence in the criminal trial would be admitted.<sup>8</sup>
  - 1985 UMW strike against A.T. Massey Coal -- "At the Sprouse Creek Processing Co., Buddy McCoy was a union man who crossed the picket line to become a foreman. 'I had a family to care for,' says McCoy, who received a **three-stitch gash in the head from marauding strikers after his defection**."<sup>9</sup>
  - 1989 UMW strike against Pittston Coal -- Virginia Circuit Court Judge Donald McGlothlin Jr. declared that "the evidence shows beyond any shadow of a doubt that **violent activities are being organized, orchestrated and encouraged by the leadership of this union**."<sup>10</sup>
  - Unanimous Virginia Supreme Court reinforced Judge McGlothlin's findings: "**Union officials took active roles in these unlawful activities**. Notwithstanding the large fines, the Union never represented to the court that it regretted or intended to cease its lawless actions. To the contrary, **the utter defiance of the rule of law continued unabated**."<sup>11</sup>

***Trumka's tenure as Secretary-Treasurer of AFL-CIO raises serious questions about how he fulfilled his fiduciary duty***

- In 1999, Teamsters political director William Hamilton was convicted of embezzlement for his part in an illegal fundraising scheme to benefit Teamsters president Ron Carey's re-election. "Testimony in the trial implicated that Trumka personally turned over AFL-CIO funds to the Teamsters and may have been involved from the start."<sup>12</sup>
- Trumka refused to testify, pleading the Fifth Amendment to both a Congressional committee and the court-appointed election monitor.<sup>13</sup>
- Trumka also refused to talk with AFL-CIO President John Sweeney about the charges and dismissively told a reporter "Look, that's history. History. Total friggin' history."<sup>14</sup>
- Sweeney refused to follow the AFL-CIO's policy adopted in 1957, which read "If a trade union official decides to invoke the Fifth Amendment for his personal protection and to avoid scrutiny...he has no right to continue to hold office in his union."<sup>15</sup>
- But Sweeney "has since adopted a two-signature requirement for cash outlays" because he didn't know about the \$150,000 of AFL-CIO funds Trumka used until months later.<sup>16</sup>
- The AFL-CIO also enacted a new "Ethical Practices Code" amending the Fifth Amendment policy to only expel those union officials "convicted of a felony."<sup>17</sup>
- U.S. Rep. Pete Hoekstra (R-MI), who chaired the subcommittee investigating the charges, said that "It is especially troubling that Mr. Trumka remains a key official of the AFL-CIO."<sup>18</sup>
- Even the *New York Times* editorial board found Trumka's behavior "disturbing" and called on him to resign.<sup>19</sup>
- Charles LaBella, former head prosecutor for the Justice Department's campaign finance task force, told ABC News just before the 2000 Democratic Convention, "If I were advising a candidate, I would advise him or her very strongly that [Richard Trumka is] not someone you want to embrace."<sup>20</sup>
- Tom Buffenbarger, president of the International Association of Machinists and Aerospace Workers union, accused the AFL-CIO in 2009 of using "creative accounting" to hide its deficit from its members.<sup>21</sup>

### ***Trumka has been at the forefront of Big Labor's power grab strategy***

- At least by 1994, Trumka was on the record advocating what would become Big Labor's central legislative advocacy a decade later in the so-called Employee Free Choice Act (better known as the Card Check Forced Unionism Bill). In a speech at a teacher union convention, Trumka called for mandatory binding arbitration for first contracts and laws requiring recognition of unions via card check.<sup>22</sup>
- At an AFL-CIO of Virginia convention in 1989, "Trumka told the union he will stop at nothing short of a complete overhaul of U.S. labor laws and abolition of the [Right to Work] laws that operate in Virginia and other states."<sup>23</sup>

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- <sup>6</sup> *Ibid.*
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- <sup>10</sup> Feder, Don. "Senate takes a walk on issue of labor unrest." *Boston Herald* 29 Apr. 1990.
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- <sup>12</sup> Novak, Robert. "Trumka Resurfaces, But Will He See a Shadow?" *Chicago Sun-Times* 13 Jan. 2000. Reprinted at *Laborers.org*. <[http://www.laborers.org/sun-times\\_Trumka\\_1-13-00.html](http://www.laborers.org/sun-times_Trumka_1-13-00.html)>.
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- <sup>16</sup> Seper, Jerry. "Grand jury probes Trumka money-laundering charges." *Washington Times* 26 Sept. 2000.
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- <sup>20</sup> Ross, Brian. "Labor Official Investigated For Fundraising Activities." *ABCNEWS.com*. 15 Aug. 2000. <<http://abcnews.go.com/US/story?id=96142&page=1>>.
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Louis Union Hall

Wednesday, November 17, 2010 7:31

While the history of Unions are full of Communist ties, many are still in denial of the connections between the Communists and Some Unions today.

But thanks to the openness of the local St. Louis Chapter of the Communist Party USA the ties between some Unions, Union Figure Heads and the Communist Party become all too clear.

According to an Event posting on the Communist Party USA news, People's World, the 7th annual Working class media & democracy forum is to be held at the Operating Engineers' Union Hall, 2929 S. Jefferson in St. Louis Missouri this Thursday. This event is being hosted by the Missouri/Kansas friends of People's World with the Contact being the local Communist Reporter for People's World, Tony Pecinovsky. Here is the posting:

“St. Louis: 7th annual Working class media & democracy forum

November 18 2010 19:00 – November 18 2010 23:00

Keynote speaker: journalist and author Amy B. Dean, author of *A New New Deal: How Regional Activism Will Reshape the American Labor Movement*. Dean will speak on the relationship between media and democracy and the role of radical activism in rebuilding the labor movement. Q & A follows. Copies of *A New New Deal* will be available for purchase and signing.

At the Operating Engineers' Union Hall, 2929 S. Jefferson.

Tickets are \$20 in advance, \$25 at the door.  
Tables are \$150.

Program booklet ads are: \$150 (quarter page), \$300 (half-page), and \$500 (full page). Make checks payable to: MO/KS PW, 438 N. Skinker, St. Louis, MO 63130.

Hosted by The Missouri/Kansas Friends of the People's World / Mundo Popular

Contact Tony Pecinovsky at 314-583-9152 ([tonypec@cpusa.org](mailto:tonypec@cpusa.org)) if you have any questions”

The Keynote Speaker, Amy B. Dean, is well known to the Labor Movement. According to Amy Dean's own website her “Roots”:

“are in the American labor movement where she served for almost 20 years. From 1993 – 2003 Dean served as President & CEO of the South Bay AFL-CIO Labor Council.”

Ironically enough those “Roots” have been cultivated for a time with the same Socialist Organization that President Obama was apart of, the New Party.

According to a Blog called, *New Zeal*, Amy Dean was on the New Party website in 1994 as apart of a list of over 100: “community leaders, organizers retirees,, scholars, artists, parents, students, doctors, writers

and other activists who are building the NP” as Amy Dean, San Jose CLC. (Picture from [newzeal.blogspot.com](http://newzeal.blogspot.com))

This St Louis Event isn't the first Communist gathering that Amy B. Dean has keynoted. According to the website, KeyWiki, Amy Dean also keynoted the Communist Party USA 22nd Annual People's World Banquet in Chicago last December:

“The Chicago Communist Party USA 22nd Annual People's World Banquet Dec. 6 at the Parthenon Restaurant. Several thousand dollars was raised for the PW Fund Drive from “supporters who dug deep despite the hard economic times”.

The attendees, a rainbow crowd of labor, community and religious activists, entered the festive room to the sounds of the jazz trio, Lovers in Arms and a running slide show of photos from struggles over the past year.

Author and labor leader Amy Dean keynoted the event. In introducing her, CPUSA labor secretary Scott Marshall called her work visionary and innovative. Dean recounted how she learned some enduring lessons as a young organizer for the ILGWU working with Rudy Lozano and through the election of Harold Washington as Mayor of Chicago, “including the kind of commitment it took to fight for worker's rights, the need to build grassroots movements and win political power to effect real change”.

She noted while electoral coalitions are one thing, governing coalitions are often another. It's vital that labor and its allies have a say in what policies unfold once their candidates are elected. Dean said much more must be done to build up the movement to ensure the Obama agenda and progressive change is advanced in Congress.

Before the dinner Dean signed copies of her new book, “A New, New Deal: How regional activism can reshape the American Labor Movement” which she co-authored with David Reynolds.”

From the Communist Party being allowed to use a local Union Hall from the AFL-CIO electing someone with obvious Socialist/Communist ties, like Amy B. Dean, to the Labor Council, the ties between some Unions and the Communist Party are still strong even today.

It is up to the Union membership to do their homework and purge their ranks of those whose ideologies do nothing but seek the ultimate destruction of Freedom and the Free Market. Because if they fail in this Worthy Endeavor, they will unwittingly play a hand in the Enslavement of their Children and Grand Children to a Country where instead of saluting the Stars and Stripes, they will be forced to pledge their allegiance to the Hammer and Sickle.

Before It's News

[http://beforeitsnews.com/story/269/812/Communist\\_Party\\_USA\\_Holds\\_Event\\_At\\_Local\\_St.\\_Louis\\_Union\\_Hall.html](http://beforeitsnews.com/story/269/812/Communist_Party_USA_Holds_Event_At_Local_St._Louis_Union_Hall.html)

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## The Myth of Voluntary Unions

**Mises Daily:** Tuesday, September 14, 2004 by Thomas J. DiLorenzo  
 (<http://mises.org/daily/author/425/Thomas-J-DiLorenzo>)



Imagine that I get together with my friends in Auburn (say, Lew Rockwell and Joseph Stromberg) and open up a coffee shop in Auburn, Alabama called "The Austrian Café." We offer a selection of strong, European coffee, assorted desserts, and occasional music (sing-alongs on Friday and Saturday evenings, in German and English). It turns out to be

enormously profitable, so profitable that several competitors—including the left-wing nemesis Starbucks—show up in town with similar themes and products.

We respond to the competition by attempting to murder our competitors, assaulting them and their employees with knives, baseball bats, clubs and fists, vandalizing their cars and places of business, setting fire to their buildings, sabotaging their coffee by secretly pouring rat poison into it, shooting at them as they drive through town, throwing rocks at them, and even dynamiting their properties. The Auburn police, having been thoroughly indoctrinated in Austrianism, largely look the other way.

Would you consider our business practices to be noncoercive? Well, of course not; the above-mentioned activities are pure thuggery and criminality.

But labor unions have routinely engaged in these very practices in assaulting competing, nonunion labor (generally referred to as "scabs," "rats," and "strikebreakers"). Yet many people—even some libertarians—insist that unions are somehow inherently noncoercive and "voluntary" and should be considered part of the free market.

This is an easy trap to fall into if one thinks of unions only in an abstract sense, detached from any reality and history. In principle, unions could conceivably be just voluntary associations of workers seeking to improve their own economic wellbeing, just like everyone else, including the combinations of individuals who we label as "corporations." This public school image of unionism (taught to Americans by unionized government employees) is of happy-faced workers marching merrily into the boss's office singing "Solidarity Forever," with legal pads under their arms filled with bullet points listing their demands for better wages and working conditions. What could be wrong with that?

But a basic understanding of the elementary economics of unionism, and of the history of unionism, explains why violence against competitors has always been an *inherent* feature of unionism, even apart from the "violence" of state-imposed legislative privileges that unions enjoy. Historically, the main "weapon" that unions have employed to try to push wages above the levels that employees could get by bargaining for themselves on the free market without a union has been the strike. But in order for the strike to work, and for unions to have any significance at all, some form of coercion or violence must be used to keep competing workers out of the labor market. As explained by Morgan Reynolds, former chief economist at the U.S. Department of Labor, in his outstanding book, *Power and Privilege: Labor Unions in America* (p. 48):

A union's problem is painfully obvious: organized strikers must shut down the enterprise, close the market to everyone else—uncooperative workers, union members, disenchanted former strikers, and employers—in order to force wages and working conditions above free-market rates. If too many individuals defy the strikers . . . then unionists often resort to force. Unionists ultimately cannot impose noncompetitive wage rates . . . unless they can prevent employers from hiring consenting adults on terms that are mutually satisfactory. Unions must actively interfere with freedom of trade in labor markets in order to deliver on their promises.

Thus, strikes—and unions in general—represent a *conflict between unionized and non-unionized labor* much more than between unions and management. Among the tactics that unions have historically used against non-union labor, notes Reynolds, are "mass picketing, insults, threats, throwing rocks and bottles, car chasing, abusive phone calls, physical assaults, property destruction, and even murder."

But it's far worse than that. In 1983, the Industrial Research Unit of the Wharton School at the University of Pennsylvania published a 540-page book on the history of union violence in America entitled *Union Violence: The Record and the Response by Courts, Legislatures, and the NLRB*, by Professors Armand J. Thieblot, Jr. and Thomas R. Haggard. The book notes at the very beginning that employers have also resorted to violence in labor disputes, which they indeed have. But two wrongs do not make a right, and the theme of the book is that, for the reasons mentioned above, violence against "rats, scabs and strikebreakers" is an *inherent* feature of unionism and always has

been. Surveying newspaper accounts and judicial records for a period of several decades, the authors note that such records are

Full of examples of murder, assault with intent to kill, destruction of property, arson, sabotage, mayhem, shooting, stabbing, beating, stoning, dynamiting, intimidating, threatening—in short, physical, verbal, and psychological abuse of every sort (p. 3).

The police and the judicial system often look the other way, for a number of reasons. For one, the police are usually unionized themselves and consider striking workers to be their "union brothers." And the judicial system is just as corrupt and inefficient in dealing with union violence as it is in dealing with any other kind of violence.

Thieblot and Haggard explain why violence and coercion are *integral* to the existence of unions: they are used as an organizing tool; to engender fear and compliance with union demands; as a bargaining device; as an attention getter that they hope will generate pressure for a settlement in their favor; as an enforcement mechanism to keep strikers in line; as a warning to employers who might consider contracting with non-union companies; as a means of preventing non-union companies from working during strikes; and as a means of generating fear in general, just like any criminal gang would in order to intimidate any would-be competitors, whether it be teenaged drug gangs or the Mafia.

Thieblot and Haggard surveyed hundreds of National Labor Relations Board (NLRB) cases and thousands of other judicial documents and newspaper accounts of union violence over several decades and concluded that

Judging from the listings, violence seems to be an inherent part of labor relations and the collective bargaining process, or at least its use is widely distributed. The 2,598 incidents in the data base involve 131 different unions.

Not every single union is involved in violence, but the vast majority have apparently been. They found six unions in their sample for which there was no record of violence: four government employee unions, a musicians' union, and the "Brotherhood of Maintenance of Way Employees." The most violence-prone unions in their sample were the Teamsters, Mine Workers, Steelworkers, Auto Workers, State, County and Municipal Employees, Machinists, Food and Commercial Workers, and the National Education Association. The "overall purposes" of all this violence, the authors conclude, is "to attain union objectives through the blatant and often unpunished use of force and coercion" (p. 169).

It took decades of dwindling union membership (currently 8.2% of the private-sector labor force in the U.S. according to the U.S. Dept. of Labor) to convince union leaders to scale back the strike as their major "weapon" and resort to other tactics. Despite all the efforts at violence and intimidation, the fact remains that striking union members are *harmed* by lower incomes during strikes, and in many cases have lost their jobs to replacement workers. To these workers, strikes have created heavy financial burdens for little or no gain. Consequently, some unions have now resorted to what they call "in-plant actions," a euphemism for sabotage.

Damaging the equipment in an oil refinery or slashing the tires of the trucks belonging to a trucking company, for example, is a way for unions to "send a message" to employers that they should give in to union demands, or else. Meanwhile, no unionized employees, including the ones engaged in the acts of sabotage, lose a day's work.

"Corporate campaigning" has also become a popular tactic. This is essentially a campaign of defamation against the company and its managers that is intended to apply pressure to sign a union agreement without involving the employees in a representation election ("pushbutton unionism"), or if the company is already unionized, to pressure management in to giving in to the union's demands. Violence and property destruction is sometimes involved in such "campaigns," but they



are mostly public smear campaigns aimed at imposing costs on the company by persuading its customers or suppliers to stay away and cease doing business with it. Sending hundreds, or thousands, of false complaints to regulators, and press releases based on the false complaints, are common tactics.

One can always point to isolated examples of unions that have avoided violence and coercion and have worked cooperatively with management for their common good. The airline pilot's union, for example, has lobbied the government to permit commercial airline pilots to carry firearms in order to protect airline property and avoid another 9/11. But that still does not negate the fact that, because unions are essentially "labor cartels," as Morgan Reynolds has described them, their chief enforcement mechanism for the cartel has historically been violence and coercion. Unions often refer to the collective bargaining process as a "war." War, with all its economic *destructiveness*, is a much more apt metaphor for unionism than "voluntary association" is.

In an ideal world law enforcement would not allow such lawlessness, but we have never lived in an ideal world and never will. Assessing the role of unions in society, as with any other economic phenomena, requires a strong dose of economic theory combined with historical reality. In a labor force of some 130 million, private sector unions in the U.S. claim less than 10 million as members. The overwhelming majority of American workers have decided that individual or group bargaining on the free market, without a union, is in their own best interest. If this decline in union membership continues, falling from its peak of around 30 percent of the private-sector labor force in the 1950s, private-sector unions in America may well go the way of the Dodo.

-----

Thomas DiLorenzo is professor of economics at Loyola College in Maryland and the author of *The Real Lincoln* (Three Rivers Press/Random House, 2003). His latest book is *How Capitalism Saved America: The Untold History of Our Country, From the Pilgrims to the Present* ([http://mises.org/store/product1.asp?SID=2&Product\\_ID=182](http://mises.org/store/product1.asp?SID=2&Product_ID=182)) (Crown Forum/Random House, August 2004). [tomd@mises.org](mailto:tomd@mises.org) (<mailto:tomd@mises.org>). Comment on the blog (<http://mises.org/blog>).

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[webmaster@mises.org](mailto:webmaster@mises.org) ([mailto:webmaster@mises.org?subject=Comments about the Mises.org web site](mailto:webmaster@mises.org?subject=Comments%20about%20the%20Mises.org%20web%20site)) •  
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## ABC MEMBER TESTIFIES ON UNION INTIMIDATION TACTICS AT SENATE CONFERENCE (03/25/2009)



Frank Cannon, an employee of C.J. Coakley Co., Inc., a member of ABC's Virginia chapter, March 23 testified at a hearing held by the Senate Republican Conference and the Republican Policy Committee on how elimination of the secret ballot under the Employee Free Choice Act would expose him and his coworkers to further union intimidation.

The Employee Free Choice Act, or "card check" legislation, would remove the long-standing requirement that guarantees workers their fundamental American right to a secret ballot election when they are deciding whether or not to join a union. Under the "card check" process, employees would be forced to indicate their choice of whether to join a union by signing a card in front of their co-workers, employers and union organizers, opening the door to coercion and intimidation.

Cannon told members of Congress and the media about specific incidents in which he had been bullied or intimidated by union representatives. He mentioned instances when he was pressured to join a union and at least one instance where he was intimidated into under-performing on the job.

"Even in secret ballot elections, co-workers bully and coerce others into joining the union," Cannon said. "The elimination of the secret ballot under the Employee Free Choice Act would only serve to make the threats of union organizers that much more effective and intimidating.

"The lengths that unions will go in order to achieve their goals can be terrifying," Cannon continued. "Imagine if these same people who use these tactics every day were given the opportunity to see how I was voting in an organizing campaign. The secret ballot is not only our fundamental right, but the only safe and fair way that can allow a worker to decide whether or not to join a union."

For more information, contact Brewster Bevis at ABC, [bevis@abc.org](mailto:bevis@abc.org).

[http://www.abc.org/Newsroom2/News\\_Letters/2009\\_Archives/Issue\\_12/ABC\\_Member\\_Testifies\\_on\\_Union\\_Intimidation\\_Tactics\\_at\\_Senate\\_Conference.aspx](http://www.abc.org/Newsroom2/News_Letters/2009_Archives/Issue_12/ABC_Member_Testifies_on_Union_Intimidation_Tactics_at_Senate_Conference.aspx)

## Union Intimidation Tactics: An Extreme Example

Marc Comtois

So far, I've posted on how the Democrats in the House have attempted to remove the ability of workers to vote via a secret ballot if they want to unionize and how most workers dislike union card checks, which is the "approved alternative" of the House Democrats and their Labor Boss buddies. One area of contention seems to be over just who, exactly, intimidates workers more: unions or companies. As my last post indicated, it seems that most of the company-sponsored intimidation is anecdotal. Additionally, according to the poll I cited, "[o]ver 92 percent of union objections to employer misconduct during organizing elections in 2005 were either withdrawn or, upon investigation by the NLRB, dismissed."

Now, an Anchor Rising reader has emailed me some documents that provide an example of the types of intimidation tactics in which one particular union engaged during an organizing campaign. According to this source:

[T]he attached is quite "interesting" regarding the lengths to which union organizers will go.

It is an employee bulletin board notice that the National Labor Relations Board ordered posted at the trucking company Overnite Transportation facilities. The Teamsters agreed to this as part of a stipulated agreement (also attached) settling charges against the Teamsters, which at the time were attempting to organize Overnite.

By no means is this Teamster activity representative of union pressure during organizing drives, but "less extreme" union pressure certainly is: from fraud (telling employees that signing the card is only so that the union can mail information to the employee's house) to nagging (many employees sign the cards simply to get the pro-union employees to stop bothering them) to subtle intimidation (groups showing up at employee's houses seeking signed cards) to more shall we say "unsubtle" intimidation.

Here is a PDF detailing the settlement and here is a PDF containing the actual posting. Here's a sample of some of that "unsubtle" intimidation, which was subsequently prohibited in the postings:

NOTICE TO  
EMPLOYEES AND MEMBERS  
POSTED PURSUANT TO A SETTLEMENT STIPULATION  
APPROVED BY A REGIONAL DIRECTOR OF THE  
NATIONAL LABOR RELATIONS BOARD  
AN AGENCY OF THE UNITED STATES GOVERNMENT

WE WILL NOT brandish or carry any weapon of any kind, including, but not limited to, guns, knives, slingshots, rocks, ball bearings, liquid-filled balloons or other projectiles, sledge hammers, bricks, sticks, or two by fours at or near any picket line, handbilling effort, rally or in any vehicle engaged in ambulatory picketing of any Overnite vehicle or following the private vehicle of any Overnite employee.

WE WILL NOT use or threaten to use a weapon of any kind, including but not limited to guns, knives, slingshots, rocks, ball bearings, liquid-filled balloons or other projectiles, picket signs, sticks, sledge hammers, bricks, hot coffee, bottles, two by fours, lit cigarettes, eggs, or bags or balloons filled with excrement against any non-striking Overnite employee or security guard in the presence any Overnite employee.

WE WILL NOT damage, threaten to damage or attempt to damage any vehicle or equipment owned or operated by Overnite, its employees or security guards, by any means or manner, including but not limited by slingshots, rocks, ball bearings, liquid-filled balloons or other projectiles, knives, picket signs, sticks, sledge hammers, bricks, bottles, two by fours, eggs, or paint, or by tearing off mirrors, windshield wipers or antennas, or breaking windows.

WE WILL NOT disable or attempt to disable vehicles owned or operated by Overnite, by any means or manner, including but not limited to disconnecting or otherwise severing air brake lines, padlocking doors, spraying substances in or otherwise jamming locks, stealing keys, puncturing radiators, cutting hoses or door cables, flattening tires or throwing, placing or otherwise spreading any nails, screws, star nails, jack rocks or similar devices capable of puncturing tires on any road surface.

WE WILL NOT endanger or impede the progress of or harass any non-striking employee or any employee of a neutral person doing business with Overnite, while he or she is operating a company vehicle or his or her own personal vehicle, by forcing or attempting to force him or her off the road, blocking, delaying or limiting his or her access to or passage on any road, swerving toward, driving recklessly near, tailgating or braking abruptly in front of him or her, impeding his or her progress by speeding up and slowing down, driving at speeds below the legal minimums while in front of him or her.

WE WILL NOT endanger or impede the progress of or harass any non-striking employee or any employee of a neutral person doing business with Overnite, while he or she is operating a company vehicle or his or her own personal vehicle, by jumping on vehicles, by attempting to open the doors of vehicles, by throwing paint on windshields, by using mirrors, laser pointers, spot lights or flash photography in the eyes of drivers, or by obstructing the view of drivers by holding picket signs over the windshields of vehicles.

That's just Page 1. To re-emphasize what the e-mailer wrote: by no means is this typical union behavior. But it is a documented example of how far some union's will go to organize a workplace. And it's exhibit "1A" of why secret ballots need to be maintained. And don't forget, secret ballots also protect the worker from their employer, too. I simply fail to see how removing such a fundamental right as the secret ballot can *help* workers

H

<http://www.laborunionreport.com>

## US Dept. of Labor Unleashes SEIU-Style Unionization by Intimidation

January 18, 2011

By Editor

**Obama's Department of Labor forces unionization**

**Matthew Boyle | The Daily Caller**

**January 18, 2011**



Labor unions give more money to the Democratic Party than any other source, and critics have long accused President Barack Obama's administration of doing their bidding. Now there is evidence that the White House has indeed put its thumb on the scale on behalf of unions. After saying that "union jobs are, by and large, good jobs," the Department of Labor's "strategic plan" for the next five years says: "many of the Department's outcome goals are furthered by high rates of union membership."

Don Todd, Americans for Limited Government's head of research and a former DOL agency head under George W. Bush, told The Daily Caller that the Obama administration wants to "shame" companies into unionizing.

"In a worst-case scenario, your union organizer comes to you, offers you a deal to unionize, you say, 'no,' and, the next thing you know, OSHA's [Occupational Safety and Health Administration] at your door," Todd said in a phone interview. "Then, Wage and Hour show up, and they want to publicize it. They always find something wrong – it's like with bed-checks in boot camp in the army

Todd said some companies will fight the DOL's intimidation tactics, but many will give in to unionizing forces.

"It makes it the path of least resistance," Todd said.

# Voting Sheets

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

EXECUTIVE SESSION on HB 474-FN

**BILL TITLE:** relative to freedom of choice on whether to join a labor union.

**DATE:** February 8, 2011

**LOB ROOM:** 307

**Amendments:**

Sponsor: Rep. Daniels OLS Document #: 2011 0218h

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

**Motions:** OTP, OTP/A ITL, Interim Study (Please circle one.)

Moved by Rep. Flanagan

Seconded by Rep. Sullivan

Vote: 11-6 (Please attach record of roll call vote.)

**Motions:** OTP, OTP/A ITL, Interim Study (Please circle one.)

Moved by Rep. Simmons

Seconded by Rep. Sullivan

Vote: 10-7 (Please attach record of roll call vote.)

**CONSENT CALENDAR VOTE: NO**

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. John Sedensky, Clerk

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

EXECUTIVE SESSION on HB 474-FN

BILL TITLE: relative to freedom of choice on whether to join a labor union.

DATE: 2/8/11

LOB ROOM: 307

Amendments:

Sponsor: Rep. Daniels

OLS Document #: 2011-0218h

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP OTP/A, ITL, Interim Study (Please circle one.)

Amendment

Moved by Rep.

~~Simmons~~ Flanagan

Seconded by Rep.

SULLIVAN

Vote: 11-6 (Please attach record of roll call vote.)

Motions: OTP OTP/A ITL, Interim Study (Please circle one.)

HB474

Moved by Rep.

Simmons

Seconded by Rep.

Sullivan

Vote: 10-7 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. John Sedensky, Clerk



**LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES**

Bill #: HB 474 Title: AMENDMENT 6TP

PH Date: 02 / 1 / *DANIELS* Exec Session Date: 2 / 8 / 2011  
*BY SIMMONS*

Motion: \_\_\_\_\_ Amendment #: 2011-0218h

| MEMBER                           | YEAS | NAYS |
|----------------------------------|------|------|
| Daniels, Gary L, Chairman        | ✓    |      |
| Infantine, William J, V Chairman | ✓    |      |
| Richardson, Herbert D            |      | ✓    |
| Pellegrino, Tony J               | ✓    |      |
| Sedensky, John B                 | ✓    |      |
| Flanagan, Jack B                 | ✓    |      |
| Laware, Thomas W                 | ✓    |      |
| Leonard, Frederick F             | ✓    |      |
| Seaworth, G. Brian               | ✓    |      |
| Simmons, Tammy A                 | ✓    |      |
| Smith, Steven D                  |      | ✓    |
| Sullivan, Kevin P                | ✓    |      |
| Ward, Joanne A                   | ✓    |      |
| Goley, Jeffrey P                 |      | ✓    |
| Weed, Charles F                  |      | ✓    |
| Rice, Chip L                     |      | ✓    |
| White, Andrew A                  |      | ✓    |

*11-6.  
 AMENDMENT  
 PASSES.*

PENDING MOTION  
OTP

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

Bill #: 474 Title: \_\_\_\_\_

PH Date: 1/1/ Exec Session Date: 2/8/2011

Motion: \_\_\_\_\_ w/ Amendment #: 2011-2184

| MEMBER                           | YEAS | NAYS |
|----------------------------------|------|------|
| Daniels, Gary L, Chairman        | ✓    |      |
| Infantine, William J, V Chairman | ✓    |      |
| Richardson, Herbert D            |      | ✓    |
| Pellegrino, Tony J               | ✓    |      |
| Sedensky, John B                 | ✓    |      |
| Flanagan, Jack B                 | ✓    |      |
| Laware, Thomas W                 |      | ✓    |
| Leonard, Frederick F             | ✓    |      |
| Seaworth, G. Brian               | ✓    |      |
| Simmons, Tammy A                 | ✓    |      |
| Smith, Steven D                  |      | ✓    |
| Sullivan, Kevin P                | ✓    |      |
| Ward, Joanne A                   | ✓    |      |
| Goley, Jeffrey P                 |      | ✓    |
| Weed, Charles F                  |      | ✓    |
| Rice, Chip L                     |      | ✓    |
| White, Andrew A                  |      | ✓    |

10-7  
OTP  
AS AMENDED.

# Committee Report

**REGULAR CALENDAR**

**February 10, 2011**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Majority of the Committee on LABOR,  
INDUSTRIAL AND REHABILITATIVE SERVICES to  
which was referred HB474-FN,**

**AN ACT relative to freedom of choice on whether to join  
a labor union. Having considered the same, report the  
same with the following amendment, and the  
recommendation that the bill OUGHT TO PASS WITH  
AMENDMENT.**

**Rep. Tammy A Simmons**

**FOR THE MAJORITY OF THE COMMITTEE**

**MAJORITY  
COMMITTEE REPORT**

Committee: **LABOR, INDUSTRIAL AND REHABILITATIVE  
SERVICES**  
Bill Number: **HB474-FN**  
Title: **relative to freedom of choice on whether to join  
a labor union.**  
Date: **February 10, 2011**  
Consent Calendar: **NO**  
Recommendation: **OUGHT TO PASS WITH AMENDMENT**

**STATEMENT OF INTENT**

This law increases personal freedoms and protects the rights of NH citizens by preventing an employer from terminating or otherwise discriminating against an employee because they choose to join or not join a labor union, or to pay dues, fees or other charges to a labor union. No other private organization in America insists on having the power to force membership on unwilling people except labor unions. New Hampshire would join 22 other Right to Work states – states that have experienced a 23% faster rise in per capita income than non-Right to Work states in the 30 years preceding 2007. HB474 would make NH more economically competitive, allowing us to be better able to attract new jobs to our great state while at the same time protecting individual workers' freedoms. The amendment removes the unions' obligation to represent those public sector employees who are not members of the union.

Vote 10-7

Rep. Tammy A Simmons  
FOR THE MAJORITY

Original: House Clerk  
Cc: Committee Bill File

REGULAR CALENDAR

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

**HB474-FN**, relative to freedom of choice on whether to join a labor union. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Tammy A Simmons for the **Majority** of LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES. This law increases personal freedoms and protects the rights of NH citizens by preventing an employer from terminating or otherwise discriminating against an employee because they choose to join or not join a labor union, or to pay dues, fees or other charges to a labor union. No other private organization in America insists on having the power to force membership on unwilling people except labor unions. New Hampshire would join 22 other Right to Work states – states that have experienced a 23% faster rise in per capita income than non-Right to Work states in the 30 years preceding 2007. HB474 would make NH more economically competitive, allowing us to be better able to attract new jobs to our great state while at the same time protecting individual workers' freedoms. The amendment removes the unions' obligation to represent those public sector employees who are not members of the union. **Vote 10-7.**

Original: House Clerk  
Cc: Committee Bill File

COMMITTEE REPORT

COMMITTEE: Labor, Industrial + Rehab.

BILL NUMBER: HB474

TITLE: Relative to freedom of choice on whether to join a labor unions

DATE: 2-8-03 CONSENT CALENDAR: YES  NO

OUGHT TO PASS

OUGHT TO PASS W/ AMENDMENT

INEXPEDIENT TO LEGISLATE

INTERIM STUDY (Available only 2<sup>nd</sup> year of biennium)

Amendment No.  
2011-0218h

STATEMENT OF INTENT:

see attachment

COMMITTEE VOTE: 10-7

- Copy to Committee Bill File
- Use Another Report for Minority Report

RESPECTFULLY SUBMITTED,

Rep. [Signature]  
For the Committee  
Tammy Simmons

JD  
OK

**Ebbs, Heather**

---

**From:** Simmons, Tammy  
**Sent:** Tuesday, February 08, 2011 4:28 PM  
**To:** Ebbs, Heather  
**Subject:** can you just print this please.....

This law increases personal freedoms and protects the rights of NH citizens by preventing an employer from terminating or otherwise discriminating against an employee because they choose to join or not join a labor union, or to pay dues, fees or other charges to a labor union. No other private organization in America insists on having the power to force membership on unwilling people except labor unions. New Hampshire would join 22 other Right to Work states – states that have experienced a 23% faster rise in per capita income than non-Right to Work states in the 30 years preceding 2007. HB474 would make NH more economically competitive, allowing us to be better able to attract new jobs to our great state while at the same time protecting individual workers' freedoms. The amendment removes the unions' obligation to represent those public sector employees who are not members of the union.





**REGULAR CALENDAR**

**February 10, 2011**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Minority of the Committee on LABOR,**

**INDUSTRIAL AND REHABILITATIVE SERVICES to**

**which was referred HB474-FN,**

**AN ACT relative to freedom of choice on whether to join**

**a labor union. Having considered the same, and being**

**unable to agree with the Majority, report with the**

**following Resolution: RESOLVED, That it is**

**INEXPEDIENT TO LEGISLATE.**

**Rep. Charles F Weed**

**FOR THE MINORITY OF THE COMMITTEE**

**MINORITY  
COMMITTEE REPORT**

Committee: **LABOR, INDUSTRIAL AND REHABILITATIVE  
SERVICES**  
Bill Number: **HB474-FN**  
Title: **relative to freedom of choice on whether to join  
a labor union.**  
Date: **February 10, 2011**  
Consent Calendar: **NO**  
Recommendation: **INEXPEDIENT TO LEGISLATE**

**STATEMENT OF INTENT**

The bi-partisan minority found several questions about which little information was provided. Specifically, will the changes made lead to requests by those leaving the union of the exclusive bargaining agent to demand minority bargaining units? Will affected employees in the public sector drop out when there are no problems and rejoin when they feel insecure or vulnerable. How will communities deal with budget issues if employees suddenly choose to rejoin the union in order to receive negotiated compensation and benefits? In other words, unresolved questions may lead to chaos in cities and towns. We also wondered why the majority of the committee discounted the super majority of those who testified against the bill, as well as those indicating that this was not a pressing need expressed by 2000 New Hampshire employers. Was right to work a solution looking for a problem?

Rep. Charles F Weed  
FOR THE MINORITY

Original: House Clerk  
Cc: Committee Bill File

REGULAR CALENDAR

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB474-FN, relative to freedom of choice on whether to join a labor union. **INEXPEDIENT TO LEGISLATE.**

Rep. Charles F Weed for the **Minority** of LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES. The bi-partisan minority found several questions about which little information was provided. Specifically, will the changes made lead to requests by those leaving the union of the exclusive bargaining agent to demand minority bargaining units? Will affected employees in the public sector drop out when there are no problems and rejoin when they feel insecure or vulnerable. How will communities deal with budget issues if employees suddenly choose to rejoin the union in order to receive negotiated compensation and benefits? In other words, unresolved questions may lead to chaos in cities and towns. We also wondered why the majority of the committee discounted the super majority of those who testified against the bill, as well as those indicating that this was not a pressing need expressed by 2000 New Hampshire employers. Was right to work a solution looking for a problem?

Original: House Clerk  
Cc: Committee Bill File

# MINORITY REPORT

COMMITTEE: Labor

BILL NUMBER: HB 474 FN

TITLE: Relative to Freedom of choice in whether to join a labor union ....

DATE: Feb 8, 2011 CONSENT CALENDAR: YES  NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- RETAINED
- INTERIM STUDY (Available only 2<sup>nd</sup> year of biennium)

Amendment No.

### STATEMENT OF INTENT:

The bipartisan minority found several <sup>questions</sup> ~~issues~~ about which <sup>little information was</sup> ~~there~~ provided. Specifically, will the changes made <sup>lead</sup> to requests by those leaving the union of the exclusive <sup>of bargaining agent</sup> ~~contract~~ to demand minority bargaining units? Will affected employees in the public sector drop out when there are no problems and rejoin when they feel insecure or vulnerable? How will communities deal with budget issues if <sup>employees</sup> suddenly choose to rejoin the union in order to receive negotiated union compensation and benefits? In other words, <sup>unres</sup> ~~unres~~ solved questions may lead to chaos in cities & towns. We also wondered why the <sup>majority of the</sup> ~~super-majority~~ <sup>the labor committee</sup> ~~discounted~~ testimony of those who testified against the bill <sup>as well as</sup> ~~was~~ <sup>and</sup> testimony indicating that this was not a pressing need <sup>by 2000 NH employees</sup>. Was Pt to Work a solution looking for a problem?

COMMITTEE VOTE: 10 - 7

RESPECTFULLY SUBMITTED,

Rep. Charles F. Weed  
For the Committee

- Copy to Committee Bill File
- Use Another Report for Minority Report

*Handwritten initials/signature and "OK"*

HB 474

MINORITY

ITL

The bi-partisan minority found several questions about which little information was provided. Specifically, will the changes made lead to requests by those leaving the union of the exclusive bargaining agent to demand minority bargaining units? Will affected employees in the public sector drop out when there are no problems and rejoin when they feel insecure or vulnerable. How will communities deal with budget issues if employees suddenly choose to rejoin the union in order to receive negotiated compensation and benefits? In other words, unresolved questions may lead to chaos in cities and towns. We also wondered why the majority of the committee discounted the super majority of those who testified against the bill, as well as those indicating that this was not a pressing need expressed by 2000 New Hampshire employers. Was right to work a solution looking for a problem?

Charles Weed

## New Hampshire General Court - Bill Status System

**Docket of HB474**

Docket Abbreviations

**Bill Title:** (3rd New Title) relative to freedom of choice on whether to join a labor union.*Official Docket of HB474:*

| <b>Date</b> | <b>Body</b> | <b>Description</b>  |
|-------------|-------------|---|
| 1/21/2011   | H           | Introduced 1/6/2011 and Referred to Labor, Industrial and Rehabilitative Services; <b>HJ 11</b> , PG. 188                 |
| 1/27/2011   | H           | Public Hearing: 2/3/2011 10:30 AM Representative's Hall   |
| 2/2/2011    | H           | Executive Session: 2/8/2011 2:00 PM LOB 307   |
| 2/10/2011   | H           | Majority Committee Report: Ought to Pass with Amendment #0218h(NT) for Feb 15 (Vote 10-7; RC); <b>HC 13</b> , PG.235      |
| 2/10/2011   | H           | Proposed Majority Committee Amendment <b>#2011-0218h</b> (New Title); <b>HC 13</b> , PG.258                               |
| 2/10/2011   | H           | Minority Committee Report: Inexpedient to Legislate; <b>HC 13</b> , PG.235  |
| 2/15/2011   | H           | Amendment #0218h (New Title) Adopted, DIV 240-110; <b>HJ 17</b> , PG.375-376  |
| 2/15/2011   | H           | Floor Amendment <b>#2011-0313h</b> (New Title) (Rep Daniels) Adopted, VV; <b>HJ 17</b> , PG.376                           |
| 2/15/2011   | H           | Ought to Pass with Amendments #0218h(NT) and #0313h(NT): MA <b>RC 221-131</b> ; <b>HJ 17</b> , PG.375-378                 |
| 2/15/2011   | H           | Reconsideration (Rep W.Smith): MF <b>RC 100-248</b> ; <b>HJ 17</b> , PG.380-382   |
| 3/30/2011   | S           | Introduced and Referred to Commerce; <b>SJ 12</b> , Pg.243  |
| 3/31/2011   | S           | Hearing: 4/5/11, Representatives' Hall, 9:00 a.m.; <b>SC18</b>  |
| 4/13/2011   | S           | Committee Report: Ought to Pass with Amendment <b>#2011-1403s</b> , NT, 4/20/11; <b>SC20</b>                              |
| 4/20/2011   | S           | Committee Amendment 1403s, NT, AA, VV; <b>SJ 13</b> , Pg.263  |
| 4/20/2011   | S           | Ought to Pass with Amendment 1403s, NT, <b>RC 16Y-8N</b> , MA; OT3rdg; <b>SJ 13</b> , Pg.263                              |
| 4/20/2011   | S           | Passed by Third Reading Resolution; <b>SJ 13</b> , Pg.270   |
| 5/4/2011    | H           | House Concurs with Senate Amendment #1403s(NT) (Rep Daniels): MA <b>RC 225-140</b> ; <b>HJ 42</b> , PG.1446-1448          |
| 5/4/2011    | S           | Enrolled; <b>SJ 16</b> , Pg.319   |
| 5/4/2011    | H           | Enrolled; <b>HJ 42</b> , PG.1490  |
| 5/11/2011   | H           | Vetoed by Governor 05/11/2011; <b>HC 41</b> , PG.1395-1396  |
| 11/30/2011  | H           | Shall HB474 Become Law: Veto Sustained, <b>RC 240-139</b> , Lacking Required Two-Thirds Vote; <b>HJ 76</b> , PG.2289-2291 |

NH House

NH Senate