

Why Florida Needs ‘Paycheck Protection’

By Alex Bohler

Labor unions have been losing ground in the private sector, but they’ve made rapid strides in government. Moreover, their public-sector gains have largely been fueled by political contributions garnered from workers’ union dues.

Nowadays, much of the dues money that’s supposedly paying for collective bargaining and union administration is channeled to tax-and-spend politicians in both major parties - and to “non-partisan” front groups that support the unions’ political agenda.

Many of the recipients are candidates and causes the members would not necessarily choose to support if they were asked to write a check. Indeed, some recipients of union members’ dues money may well be candidates and causes whom the members abhor.

Paycheck Protection secures the workers’ First Amendment right to contribute -- *or withhold* – financial support from political candidates and causes. It does so by protecting public employees from being forced subsidize political activity.

“Paycheck Protection” is a term used for legislation that requires union officials to ask their members annually for written permission to spend the members’ dues to fund the union’s political action committee (PAC).

In addition, Paycheck Protection also may encompass other worker freedom initiatives such as increasing financial disclosure requirements, ending automatic payroll deductions, and prohibiting general dues from being used to subsidize the union’s PAC.

Labor reform experts believe that roughly 80 percent of union dues is spent on activities unrelated to collective-bargaining. A case in point: The National Education Association (NEA) spent \$187 million last year on a broad range of lobbying and other political activities, pouring teachers’ dues money into a host of left-of-center causes and projects.

Sadly, Congress has been slow to act to protect union members’ rights, so it’s up to labor-law reformers at the state and local level to promote meaningful protection of the rights outlined in landmark U.S. Supreme Court’s rulings such as *Beck v. Communications Workers of America*.

Paycheck Protection measures have become even more timely as the truth has emerged about union members’ ideological diversity vs. the monolithically liberal leanings of the money recipients chosen by the unions’ out-of-touch leaders.

A case in point: A recent internal poll conducted for the NEA disclosed that nearly 50 percent its members are self-described conservatives. Nonetheless, virtually all of the union’s PAC’s money goes to liberal candidates and causes. Paycheck Protection is

needed to protect union members from having to provide financial support to political candidates and causes with which they disagree.

Granted, most workers in Florida are covered by the state's Right to Work law barring compulsory union membership. However, no workers should have to face a Hobson's choice: (1) Leave the union, forfeiting benefits and the right to take part in choosing the officials who represent them in collective bargaining; or (2) stay and pay to subsidize ideas they abhor.

Paycheck Protection is a way to protect the First Amendment rights of *voluntary* union members in right-to-work states and *involuntary* members in those states that still allow union shops and agency shops.

Some critics of Paycheck Protection complain that it strips unions of the financial ability to participate in the political process. Not so. Paycheck Protection merely means the union has to earn the trust of its members, and that members have the right to give *or withhold* their consent.

If a union is engaged in political activity that its members support, then the members will gladly contribute to the union's PAC. If the rank-and-file members perceive their union's PAC as "extreme" or "out of step," they'll withhold their contributions.

Some conservatives argue that Paycheck Protection "doesn't go far enough" because it doesn't end compulsory unionism. Yet that's not its purpose. Rather, it's designed, in part, to protect union members from automatically subsidizing a union's PAC.

Protecting the First Amendment and free association rights of union members is an important goal in and of itself, regardless of whether Congress ever removes the forced dues provisions from the Depression-era National Labor Relations Act.

So Paycheck Protection is not presented as a panacea to solve the problems associated with compulsory unionism. Instead, it's a common-sense, incremental, labor-law reform that increases worker freedom and protects the rights of all union members.

Florida's public sector union members shouldn't have to subsidize their union's PACs. Paycheck Protection is a straightforward and constitutionally-permissible legislative remedy for a long-standing injustice. This common-sense reform is long past due.

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