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IMPACT

SPECIAL LABOR EDITION

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CELEBRATING 10 YEARS OF RIGHT-TO-WORK IN MICHIGAN

ALSO:

**Every Win Must
Be Defended**

by Joe Lehman

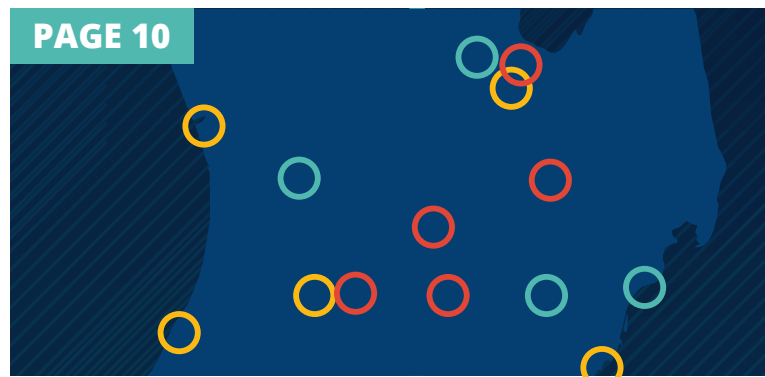
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Forbes

Red & Blue State Ballot Measures Demonstrate Contrasting Approaches To Labor Policy

“Right-to-work simply means that a union cannot get a worker fired for not paying dues, and the contrast between Tennessee’s and Illinois’ views of this concept is clear,” said F. Vincent Vernuccio, a senior policy advisor with the Mackinac Center.”

Patrick Gleason, Vice President of State Affairs at Americans for Tax Reform

Bridge

Michigan Democrats Target Right-to-Work: ‘Golden Opportunity’ or ‘Nuclear War’?

“The largest public union in Michigan is the Michigan Education Association, which went from about 118,000 working members to 78,000, the free-market Mackinac Center for Public Policy reported in 2020.”

Paula Gardner, Bridge Business Editor

Townhall

What Unions’ Radical Agendas are Costing Teachers

“These stories remind us that teachers’ dues money is misused on a regular basis, often with union leaders’ political aims in mind.”

Jarrett Skorup, Senior Director of Marketing and Communications

THE HILL

Teacher Unions are the Real ‘Dark Money’ Players in School Board Races

“For decades, far-left education unions have endorsed, funded, knocked on doors for and been elected as school board members. The only difference today is that people are finally pushing back from the other side.”

Jarrett Skorup, Senior Director of Marketing and Communications

THE HILL

A Fearful October for Entrepreneurs

“At a time of growing economic uncertainty, workers and entrepreneurs need to be confident they will have more opportunities — not get the trick of being restricted by the traditional employer-employee relationship while giving unions the treat of forced fees.”

F. Vincent Vernuccio, Senior Fellow, and Steve Delie, Director of Workers for Opportunity

GRAND RAPIDS BusinessJournal

Labor Market Liberty: Where Do Michigan Cities Rank?

“What does all of this mean? Opportunity. Policymakers who want more of it for the people who elect them must practice restraint in tax, spending and labor policy. Economic liberty is associated with better outcomes.”

Michael LaFaive, Senior Director of the Morey Fiscal Policy Initiative, and Dean Stansel, Research Associate Professor at Southern Methodist University

Six Trends That Influence the Public Policy Environment

The year 2022 marks the ten-year anniversary of right-to-work in Michigan. It also represents a personal milestone: I joined the Mackinac Center in August 2012. (The two events are unrelated, though I like to point out my excellent timing.)

These milestones prompt me to reflect on what's changed in the public policy world. I recently spoke to a group of young professionals at the State Policy Network's annual conference. My topic for these rising leaders: "In what ways is today's public policy environment different from 10, 15 or 20 years ago?"

I shared six trends:

1. As consumers, we are more demanding

A cultural inflection point is upon us. Gen X (born 1965 to 1980) was the last generation that bought the whole album to get the single. Napster, a pioneer in audio streaming, was launched in 1999. Apple's iTunes store came online in 2003. Suddenly fans could listen to any song at any time without spending \$15 for an entire album.

How does this relate to policy? Subsequent generations — Millennials, Gen Z — expect on-demand, customized service as a norm. Consider how that reality will influence their expectations for education, just to name one issue.

“Each of these trends has implications for how we secure tomorrow's policy wins.”

2. People strongly distrust elites and institutions

Arbitrary and ever-changing rules imposed during the COVID pandemic revealed this in spades, but it started at least two decades earlier, with growing access to digital information and networks.

3. The cacophony in the public square is louder

My colleague Michael Van Beek notes it is easier today to place an issue on the public's radar — an advantage we have over the Mackinac Center of 1987. That said, there are more voices today and thus more competition for attention and loyalty.

4. Key issues are migrating across the political spectrum

Education innovation and reform used to be a bipartisan goal. But increasingly, Democratic politicians resist school choice, despite the revealed preferences of their constituents. (About half of Detroit schoolchildren attend a charter school.) Free speech was once the undisputed domain of the Left, but this is changing. Meanwhile, some Republicans have embraced forms of protectionism (trade restrictions, tariffs, etc.).

5. National issues are debated and resolved in the states

This has long been true, given our federalist system of government. That said, today's major national issues percolate through the states. The country's response to COVID-19 was decided by governors and state legislatures. The U.S. Supreme Court sent abortion back to the states, and it was recently on ballots across the country. Even our federal elections (and reforms thereto) are administered by the states.

6. Bipartisanship has taken a hit

My colleagues Lindsay Killen and David Guenther both have extensive experience working with legislative chambers, translating free-market ideas into law. Both note changing attitudes about bipartisanship. Says Guenther: "A decade ago, divided government rewarded compromise. Today, divided government rewards confrontation."

Each of these trends has implications for how we secure tomorrow's policy wins. ■



Michael J. Reitz

By Michael J. Reitz

Executive Vice President



EVERY WIN MUST BE DEFENDED

Shortly after the Mackinac Center was founded in 1987, we became known among policy institutes for our focus on labor policy. It was unusual for any state (or national) think tank to prioritize unions, but we had a simple, compelling reason. We would not solve Michigan's problems until we addressed the elephant in the room: Union pressure and money could stop most of our ideas from becoming law.

A handful of state think tanks existed then, and only the Evergreen Freedom Foundation in Olympia, Washington, gave labor policy the same emphasis we did. We both understood that public sector unions were a bigger threat to our ideas than private sector unions. And public sector unions fell under state law, not federal law, giving us a natural advantage.

People laughed at us in 1992 when we first wrote that Michigan should become a right-to-work state. But we were laying down a marker: The state needed big changes.

Our first major study on labor policy sent shockwaves through Lansing in 1993. Insiders were stunned that anyone would dare confront the Michigan Education Association over its creation of a billion-dollar health insurance reseller to boost its political influence.

We were much smaller then. We had to be creative. We literally staked out MEA headquarters in East Lansing in 1994 to prove that the union hired private, nonunion contractors for the very same services it insisted must be performed in Michigan schools only by dues-paying MEA members. The union, badly embarrassed, could not prevent the Legislature from strengthening school boards' hands in contract negotiations.

In 1996 we hired Robert P. Hunter to lead our first multiyear policy initiative. Bob had been Ronald Reagan's first appointee to the National Labor Relations Board. He created a body of legal scholarship that we have built on for over two decades. In time, Gov. John Engler appointed him to the Michigan Civil Service Commission.

Unions have picketed and sued us. We've used the free publicity, beaten them in court, and notched policy wins that drew national attention. We have educated millions of workers on how to resign from their unions after states passed right-to-work laws and after the U. S. Supreme Court's Janus decision. Unions collect some \$600 million less each year because of that.

“THEY ARE ABOUT TO DISCOVER THAT WORKERS WON'T WANT TO LOSE WHAT THEY'VE GOT — A STATE WHERE A UNION CAN NO LONGER GET THEM FIRED FOR REFUSING TO PAY DUES.”

Perhaps our best-known labor policy win is Michigan's passage of right-to-work in 2012. Democrats have pledged to repeal it and will soon control the Legislature and governor's office. (The Janus ruling means government workers, including teachers, would not be affected.) They are

about to discover that workers won't want to lose what they've got — a state where a union can no longer get them fired for refusing to pay dues.

We don't believe in permanent victories, just as we've never believed in permanent defeats. Every win must be defended sooner or later, and now is our time to defend one of our biggest wins. We're on the balls of our feet, not the heels. ■



By Joseph G. Lehman
President of the Mackinac Center



10 YEARS LATER, RIGHT-TO-WORK STILL MATTERS IN MICHIGAN



“**Right-to-work is not anti-union.
It’s pro-individual.**”

Right-to-work was never about unions. It was always about you. Remember that as it comes under attack in 2023, when Democrats hold all the gavels in Lansing.

They’ve put right-to-work in their sights and named it as an early target. Let’s talk about how we got here.

For 10 years now, the Michigan worker has been free to join unions, or not to join them. Free to opt in or opt out of paying a union. Joining cannot be a condition of employment. It’s your choice.

At one point, right-to-work was the impossible dream, far outside the Overton Window in Michigan. Just 120 years ago, trying to work without a union card, or during a union strike, cost people their lives and livelihoods.

The first workers to assert their right to work — coal miners in Pennsylvania during the Coal Strike of 1902 — did so at great personal risk.

Some of the “scab” workers, as they were called, liked their jobs just fine and didn’t want to strike.

Others were crowded out of nonmining jobs by striking miners and found work in the coal mines.

Others were recruited from out of town.

All were targeted by the union, which mobilized their striking brethren against them for the breach in solidarity.

In Ray Stannard Baker’s chapter on right-to-work in “The Muckrakers,” he interviews Charles Monie, a mine engineer who refused to strike.

“Unionism is alright when it is kept within bounds,” Monie said. “But when it says to any man, ‘You can’t work until we give you permission,’ and when it plans to destroy property, I claim that the individual has a right to quit. I have a right to work when I like, for what I like, and for whom I like.”

Right-to-work was signed by Gov. Rick Snyder on Dec. 11, 2012, and it took effect March 28, 2013. As the Mackinac Center said that day, “Right-to-work is about making Michigan home again.”

It’s about the right of the individual to work at any willing employer, without being compelled to join or pay a third organization.

It’s about people’s right not to pay any group they don’t feel like joining. Right-to-work is not anti-union. It’s pro-individual.

Union membership has declined in Michigan, from 17.5% of workers in 2012 to 15.2% in 2020, a decrease of 13%. Solidarity is a choice. These days, unions have to earn it, not enforce it, with the help of your employer.

Right-to-work is what made the difference. ■



By James Dickson

*Managing Editor of Michigan
Capitol Confidential*

MACKINAC CENTER STUDY

MICHIGAN METRO AREAS LESS FREE THAN NATIONAL AVERAGE

Michigan has long had a stagnant or even declining population, which brings less clout in Congress and any number of challenges for state policymakers. One of our latest research projects suggests why Michigan has struggled, and the answer lies with policy choices its leaders have made.

In August, the Mackinac Center released “Economic Freedom in the City: Ranking Michigan’s Labor Markets.” It measures and ranks economic freedom in all 383 Metropolitan Statistical Areas in the United States. The report pays special attention to Michigan’s 14 metro areas and their policy choices.

The study drew on an approach from the Fraser Institute of Canada, which looks at government spending, taxation and labor market regulation to measure government interference in the marketplace.

Michigan’s metro areas scored poorly on the index of economic liberty. Midland did the best, scoring 6.7 out of a possible 10, making it 193rd in the country. It was the only metro area in Michigan to outperform the national average, and it barely did that. The top score in the nation went to Naples, Florida, with 8.8. The worst score was for El Centro, California, at 3.8. Michigan’s worst performer was Bay City. It had a freedom score of 5.6, placing it 346th nationally.

The rankings are not simply a debating point. Instead, they are related to established

measurements of well-being, with the metro areas that earned higher rankings outperforming other areas in the unemployment rate, job growth and population growth.

Coincidence? Not likely. A 2020 academic paper, using the same data we used, as well as IRS data, found that a 10% increase in economic freedom was associated with a 27% increase in net population migration from other metropolitan statistical areas. When people move, they take their money with them, so this can have a huge impact on the prosperity of our local communities.

The Mackinac Center for Public Policy’s goal is to advance liberty and opportunity for all people. Evidence shows the two ideas are inextricably linked — at the national, state, and now, local level of government. ■



By Michael LaFaive
Senior Director of the Morey Fiscal Policy Initiative



By Dean Stansel
Research Associate Professor at Southern Methodist University

Top Ranking in Michigan

Midland
Overall score: 6.76

MI Rank
1st
out of 14

US Rank
193rd
out of 383



PARTNER
FEATURE

MACKINAC CENTER HELPS RIGHT-TO-WORK ADVOCATES IN MISSOURI

I was a newly elected legislator who lived three miles from a major auto manufacturing plant when I learned about the Mackinac Center. It was my first year in the Missouri Legislature, and I was about to take a vote on right-to-work.

The educational efforts the Mackinac Center made for me and my colleagues were essential. Labor reform can be one of the scariest issues for first-term legislators. But armed with good data and personal experiences from other states, the Mackinac Center educated legislators and others about the need to protect the workers of the Show-Me State. Missouri passed right-to-work in 2017, though the law was later overturned by a union-led referendum.

I worked with the Mackinac Center again in 2018, supporting the Government Accountability Act, a new bill to help workers. The law would protect

union democracy by requiring that a unionized worksite hold an election every three years. This would ensure that any union with a monopoly on representing workers be required to secure a majority vote from current workers, rather than hold onto power with votes cast by workers long gone. The bill called for protecting public employees' right to a secret ballot in union-organizing elections. Public employee unions would have to get each member's authorization every year before deducting that person's dues, a change that would strengthen employee choice. Finally, the bill would ensure transparency for government unions by requiring them to file the same financial reports that private sector unions do.

Public sector collective bargaining was relatively new in Missouri, a creation of court fiat rather than legislation. When it started to take hold, the

Mackinac Center came to Missouri and warned us that we needed to take safeguards to protect public employees.

The Mackinac Center, together with the Show-Me Institute, worked hand-in-hand with lawmakers in the House and Senate, educating them on the need for the legislation and how it would help Missouri public employees and taxpayers.

The Government Union Accountability Act was passed and signed into law. But as soon as it took effect, an unelected judge in St. Louis struck down the law. So did the Missouri Supreme Court, which has a history of siding with unions. According to the Show-Me Institute, "Missouri's specific court rulings have made substantive reforms in [labor policy] nearly impossible."

Still, we have hope. Even with setbacks, most of which were specific to Missouri, worker

freedom can prevail. It should also be noted that not a single lawmaker who voted to protect public employees with the Government Union Accountability Act lost in the general election.

While the story of these efforts in Missouri is not encouraging, it has provided a teachable moment for other states, and we are already seeing that work in positive ways. From Indiana to Oklahoma, executives and policymakers are doing more to protect public employees, and the education Mackinac provides is an invaluable resource. ■



By Justin Hill

Former Member of the Missouri House of Representatives

THE MICHIGAN MIRACLE

The right to work

BY LAWRENCE W. REED

Freedom of choice in the labor market: To some, that's a concept as American as baseball and apple pie. To others, it means right-to-work and a serious threat to unions.

Michigan is overdue for a thoughtful consideration of fundamental labor law. Should workers be compelled to join a labor union to hold their jobs?

Since 1947, when Congress passed the Taft-Hartley Act, 21 states have ex-

The only thing right-to-work workers uni

THE ECONOMIC EFFECTS OF RIGHT-TO-WORK LAWS: 2007

Paul Kersey

PROTECT WORKING FAMILIES

Celebrating 10 Years of **Right-to-Work in Michigan**

On a cold day in December 2012, Michigan made history. It was the birthplace of the United Auto Workers, the state with the fifth-highest rate of union membership, and a place that everyone thought of as the union stronghold. And yet the state took away unions' ability to get workers fired for not paying dues.

Ten years ago, Michigan lawmakers passed and Gov. Rick Snyder signed legislation that made Michigan the 24th state to have a right-to-work law. What was unthinkable a year earlier happened, and it inspired people in other states to follow suit.

The effort to bring about worker freedom was a team effort: freshman lawmakers who were so green they didn't know it couldn't be done, brave legislative leaders, and a governor who finally invited legislators to send a measure to his desk.

As I wrote with Mackinac Center President Joe Lehman in *The Wall Street Journal* shortly after the victory, there were others, too: "Over time, brave workers like UAW member Terry Bowman, president of Union Conservatives, stood up and demanded a choice. The West Michigan Policy Forum and Michigan Chamber of Commerce added their voices and influence to the cause. Americans for Prosperity marshaled activists."

And of course, there was the Mackinac Center, which for decades had steadily educated lawmakers and others on the need for and the benefits of worker freedom. The Mackinac Center's first president, Lawrence W. Reed, launched the effort when he asked in a 1995 *Detroit News* article, "Should workers be compelled to join a labor union to hold their jobs?"

The list of people who should receive credit for this policy change is too long to include. But one key figure was Bob King, then president of the United Auto Workers.



Bob King, former president of the United Auto Workers
Photo by Moritz Hager, Wikimedia Commons

Earlier in 2012, King lobbied for a ballot proposal that would have outlawed right-to-work. It would go even further, however, giving government employee unions an effective veto over legislation by enshrining their collective bargaining position in the Michigan Constitution.

Then in the summer, the Mackinac Center ran a statewide education effort on the problems the proposal would bring to Michigan. The proposal attracted national attention and was widely seen as a referendum on right-to-work. Thankfully, freedom won at the ballot box, and voters rejected the proposal by 15 percentage points.

Thanks to union overreach, Michigan had the conversation that many were uncomfortable having. When the vote was counted, though, worker freedom won the day.

This set the stage for the introduction and eventual passage of a right-to-work bill.

After the legislation was introduced, unions stormed the Michigan Capitol. Opponents of right-to-work threatened violence, and some even acted on it.

Protestors tore down a tent that Americans for Prosperity had placed on the state Capitol grounds for a rally. I was there that day, surrounded by protestors, including one who said, “I am going to knock your [deleted] head off.”

Even a lawmaker got into the act. Rep. Doug Geiss, D-Taylor, infamously said, “There will be blood.” He later said he meant only political blood. Terry O’Sullivan, general president of the Labor International Union of North America, warned politicians who might vote for right-to-work: “We are going to take you on and take you out.”

Despite the threat of violence and political repercussions, right-to-work became the law of Michigan on Dec. 11, 2012, and it went into effect the following March.

Workers like Terry Bowman would no longer be forced to pay union fees just to keep their jobs.

The state economy improved. In the first year and a half after the law took effect, 142,000 more workers were employed, and weekly earnings in the private sector increased by 5.4% — far outpacing the national average of 3.7%.

At the time, only Indiana, then the only other right-to-work state in the Midwest, outpaced

There was plenty of hard work and research published to give right-to-work a chance of passing in Michigan.

We’ve compiled a list of the most important events and created an online interactive timeline so you can follow the events leading up to the passage of right-to-work.

To see the full timeline, visit: Mackinac.org/RTWtimeline



Michigan for job growth. In general, right-to-work states have higher wage growth, higher job growth and lower unemployment.

The political threats came to nothing. Not a single lawmaker who voted for right-to-work lost in the next general election, and Snyder won reelection. More surprisingly, right-to-work wasn’t even a major issue.

The victory in Michigan served as an inspiration to lawmakers in other states, who also survived after taking similar measures. It also inspired Mackinac’s “You Can, Too” tour, during which we told the story of this victory and worked with lawmakers throughout the country. Within five years, Wisconsin, West Virginia and Kentucky all had right-to-work laws.

The primary benefit of right-to-work is freedom — stopping unions from getting workers fired for not paying them. But it also has a positive impact on state economies, wages, jobs, and even the politicians who support it.

Ten years later, this is still true and a reason to celebrate. ■



By F. Vincent Vernuccio
Senior Fellow

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Michigan Capitol Confidential reports with a free-market news perspective.



WorkersForOpportunity.org

Advancing the liberty of employees across the country and protecting First Amendment rights.



MiPace.org

Parent Advocates for Choice in Education.



Mackinac.org/MCLF

Our public interest law firm advances individual freedom and the rule of law in Michigan.



OpportunityMichigan.org

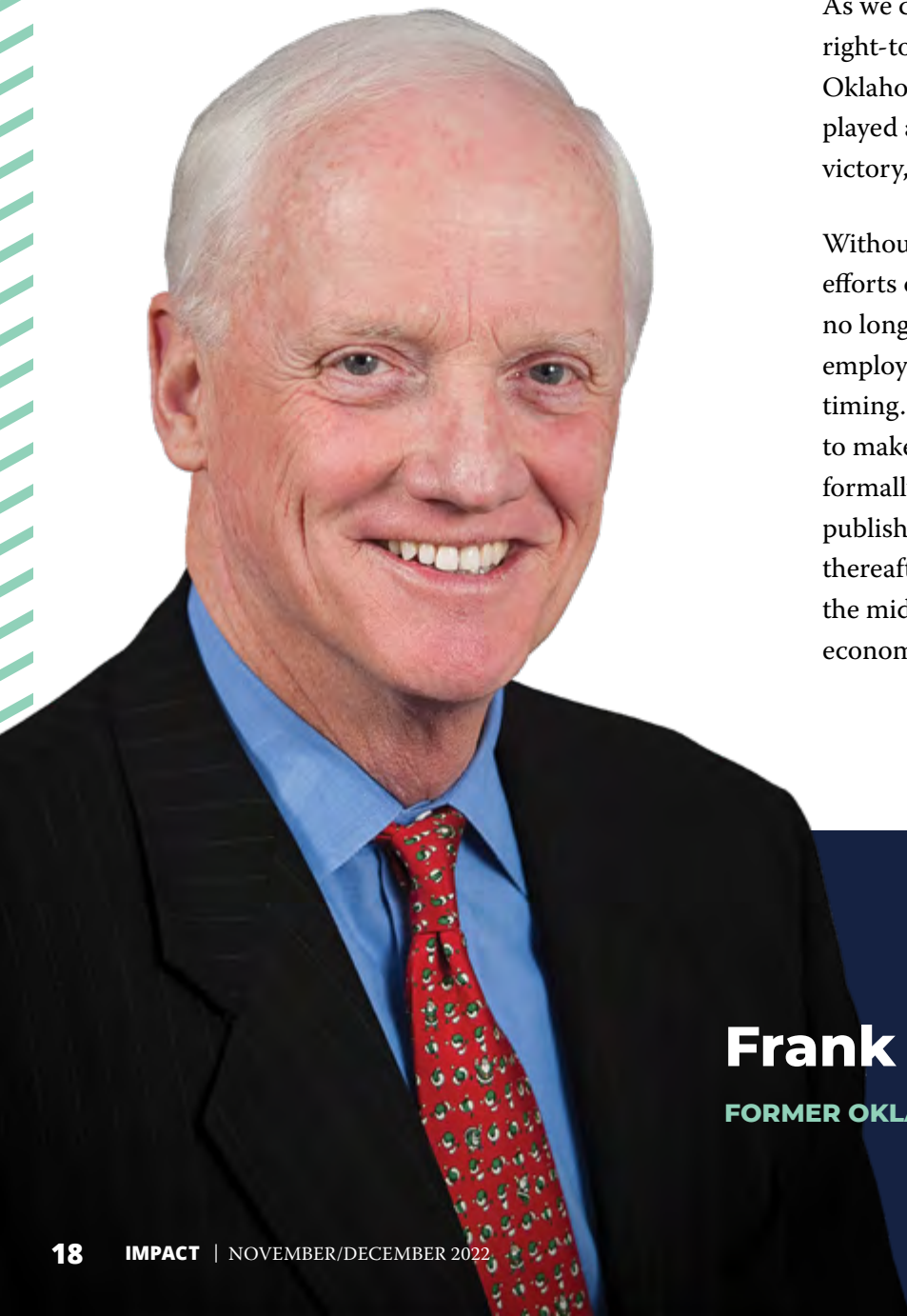
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Keeping citizens informed with news and analysis that expose government overreach and abuse.

Workers for Opportunity Announces Former Oklahoma Gov. Frank Keating as President of its National Council of Advisors



Frank Keating
FORMER OKLAHOMA GOVERNOR

As we celebrate the tenth anniversary of Michigan's right-to-work law, we should acknowledge Oklahoma's former governor, Frank Keating. He played an unheralded but important role in that victory, and he still inspires state-level leaders.

Without Gov. Keating's strategic advice, our efforts on behalf of Michigan residents – who are no longer forced to pay a union as a condition of employment – might have failed due to premature timing. By 2007, we were eager for concrete action to make Michigan a right-to-work state. We first formally called for the policy in 1992. We studied, published, and debated its merits continually thereafter. A Detroit Free Press poll in 2006 – in the middle of Michigan's "lost decade" of a poor economy – surprisingly showed 56% of likely

voters favored a right-to-work law, including 42% of union households. A private, internal poll we commissioned in 2007 indicated more than 40% of union members themselves gave a thumbs-up to right-to-work. We thought, if we don't move on right-to-work now, when will we?

The Michigan right-to-work team sought counsel from former Gov. Keating, who had led the last successful attempt to enact right-to-work. He had not merely signed the policy into law; he oversaw its inclusion in the Sooner State's constitution by a ballot campaign and an amendment of the people.

Frank Keating advised us and our friends that he believed a successful effort needed a supportive governor. "It matters who leads," he said. Jennifer Granholm, then our governor, opposed right-to-work. It wasn't until the election of Rick Snyder in 2010 that the political window to pass right-to-work opened wider. We took his counsel to be patient, and we succeeded when Michigan became the 24th right-to-work state five years after our conversation.

In the following years, we have maintained a strong affinity for Oklahoma and former Gov. Keating, who helped pave the way for Michigan and the states that followed. The latest was Tennessee, which enshrined right-to-work protections in its own constitution through a ballot measure.

Gov. Keating's leadership and friendship with the Mackinac Center continues to this day.

We are honored to announce his new role as president of the Council of Advisors for the Mackinac Center's Workers for Opportunity initiative. With WFO, Gov. Keating will bring together policymakers from around the nation, as they protect American workplaces and the paychecks of American workers from unions' coercive influence.

"The principles and policy agendas advanced by Workers for Opportunity are mission-critical for all proponents of individual liberty and free enterprise. I'm proud to stand in support of this important work and help bring others to the table," said Gov. Keating.

To find out more about Gov. Keating and the Workers for Opportunity initiative's Council of Advisors, visit www.workersforopportunity.org.



Lindsay Killen
Vice President for Strategy
and Communications

"The principles and policy agendas advanced by Workers for Opportunity are mission-critical for all proponents of individual liberty and free enterprise."

JESS YESCALIS

SEES THE WORLD, PROMOTES THE BLESSINGS OF LIBERTY



When Jess Yescalis was a child growing up in Pennsylvania, he had two great passions. The first was politics, and in particular, the freedom movement. The second was travel and adventure. Jess found a way to combine his two passions by spending part of his time fundraising for free-market policy objectives and the rest training political parties around the world on how to advance freedom and human rights.

On the fundraising front, Jess has raised close to \$200 million from around the country. The work of the Mackinac Center ranks high on his list of preferred causes, so much so that he's also a donor. Jess explains this by saying that the freedom infrastructure the Mackinac Center has built has helped turn a strong union state into a right-to-work one. He cites the workers' freedom initiative, which has helped hundreds of thousands of American workers escape union dues. This allows families to keep more money in their pockets and reduces the amount of money unions spend to promote policies that are antithetical to free markets.

Jess has thousands of stories from the 168 countries he has visited, but one story from Myanmar (sometimes called Burma) holds a special place in his heart. "I will never forget working with the leaders of Aung San Suu Kyi's political party, the NLD, in advance of her release from house arrest in 2010," says Jess. "Political parties were still banned in Myanmar and military generals ruled the country, so we met in a small house on the other side of the border with blankets nailed to the windows." As they worked on a message of freedom to deliver to voters, Jess was reminded that regardless of the issues we face in the United States, we are blessed beyond measure to live in a land that believes in liberty.

When pressed about what he thinks is the biggest issue facing our country, Jess advises diligence. "The freedom, opportunity and prosperity that we enjoy as Americans are the envy of the world, but they are not ours by inheritance alone. If we want to keep them, we will need to fight. Which is why organizations like the Mackinac Center are so important. Mackinac is on the front line of the fight for freedom, and I am proud to be part of that work!" ■



By Ryan Rickel
Director of Strategic Partnerships



PARTNER
FEATURE

The Battle for Worker Freedom in the States

GRADING STATE PUBLIC SECTOR LABOR LAWS

3RD EDITION

Priya M. Brannick
SENIOR FELLOW

Andrew Holman
POLICY ANALYST

SEPTEMBER 2022



Grading Michigan's Labor Laws

The Commonwealth Foundation recently released its third report analyzing state labor laws. “The Battle for Worker Freedom in the States: Grading State Public Sector Labor Laws” finds that Michigan earned a “B” for worker freedom and taxpayer friendliness. Michigan’s current strong grade is thanks to its right-to-work law, a statutory prohibition on public employee strikes, and paycheck protection for public school employees. Such policies have saved taxpayers billions of dollars annually. These laws may be in danger, however, following November’s midterm election.

Since the last report in 2019, Michigan leaders expanded worker freedom by changing how the state deducts union dues for its employees. In 2020, Michigan began requiring yearly employee authorizations for dues deductions and annual notices of workers’ right not to join a union and to resign membership at any time. While these incremental changes aren’t enough to improve Michigan’s grade, they have a significant bearing on how workers understand their association rights.

As we have discovered in Pennsylvania, workers are often unaware of their rights and options regarding union membership. Simply explaining these rights has a profound impact on employees and can inspire workers to exercise their right not to join a union.

Government workers and taxpayers saw wins not only in Michigan, but in Arkansas and

West Virginia, too. Arkansas enacted a wide-reaching ban on collective bargaining, and West Virginia Gov. Jim Justice signed a paycheck protection bill.

Nationwide, government union membership in the four largest unions has declined by almost 219,000 since the 2018 Janus Supreme Court decision.

Despite these important advances, government unions have made aggressive pushes to attract new members.

Virginia enacted a law permitting local governments to collectively bargain with their employees. In Colorado, Gov. Jared Polis signed two bills permitting state and county workers to unionize.

Mackinac’s Workers for Opportunity initiative is a key player in advancing workplace freedom. Nationwide, the initiative continues to work with stakeholders to push reforms that educate workers on their right to opt in and opt out of union membership whenever they choose. The new report highlights successes in Indiana and Oklahoma.

Four years after Janus, collective bargaining reforms remain vital to keeping local and state budgets in check and protecting Americans’ constitutional right to associate freely. We will have to wait and see how Michigan stacks up should right-to-work be repealed in the coming year. ■



Andrew Holman

*Policy Analyst at the
Commonwealth Foundation*

Key Points From the Report



In the four years following the Janus v. AFSCME U.S. Supreme Court ruling, the nation’s four largest government unions — AFSCME, SEIU, NEA and AFT — have lost almost 219,000 union members.



The Janus decision to end forced unionism for government workers accelerated a long-term decline in membership. In response, government unions are conducting aggressive campaigns to unionize new workers with recent successes in Virginia and Colorado.



On the other hand, Arkansas banned collective bargaining for most government workers, and West Virginia passed a version of paycheck protection in 2021.



While the legislative landscape is mixed, litigation efforts are making significant gains. For example, litigation brought by Pennsylvania government employees forced major unions — including SEIU, PSCOA, UFCW and AFSCME — to drop resignation restrictions from state contracts. These unions represent 51,500 employees, nearly half of all state employees.



Three states experienced major grade changes since our 2019 report. Virginia dropped from “A+” to “C” for instituting collective bargaining, while Arkansas jumped from “C” to “A+” for banning it. Missouri’s comprehensive labor reforms were officially struck down, moving the state from “B” to “C.”

LAW, LABOR & LOVE

A profile of Steve Delie, Director of Labor Policy

Steve Delie was born and raised in Michigan, attended a charter school as an elementary student, benefited from private school choice in high school, and then attended Hillsdale College.

So you could say he was destined to work here.

“I probably first heard about the Mackinac Center while I was a student at Hillsdale,” Steve says. “But it wasn’t until I was looking around for a better job doing legal and labor work that I found a job description, read up on the work and realized this fit what I wanted to do, perfectly.”

The son of two engineers, he grew up in Jackson and attended a National Heritage Academies charter school. After graduating from Hillsdale, Steve went to Michigan State University for law school.

His first jobs after law school prepared him for work at Michigan’s largest think tank. “I worked for two firms in the Lansing area, initially doing municipal law work — learning about the Freedom of Information Act, the Open Meetings Act, writing ordinances for townships and more,” Steve says. He got a taste of everything, including work on marijuana business licensing, tort law, family law and defense work.

Steve’s work now is equally varied.

“Like all great jobs, my work at the Mackinac Center depends on the day!” he says with a laugh. Steve wears several hats, including director of labor policy and head of the Workers for Opportunity Initiative. He’s also executive director of the Michigan Coalition for Open Government, a volunteer job that lines up with his Mackinac Center work.

He may spend his time testifying before lawmakers in Lansing or Washington, D.C., on a labor bill, or submitting research to a federal agency as part of its rule-making process. On other days, he’s representing clients on behalf of the Mackinac Center Legal Foundation, meaning he meets with

the client, writes a legal brief, and works with the communications department. And there’s also open government work — filing FOIA requests and answering questions from individuals or the media.

“It’s hard work, but rewarding,” Steve says. “I love the culture here. We are all trying to accomplish similar goals and are pulling in the same direction. It’s refreshing to

have a group of people who are aligned and love working together.”

Outside of work, Steve enjoys camping and playing video games (“separately,” he adds) and watching the Detroit Red Wings and MSU football. ■

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By Jarrett Skorup
*Senior Director of Marketing
and Communications*

Choice Has Pushed Union Membership to an All-time Low

The Mackinac Center has helped workers know their rights

If you read the media, you know that unions have organized a few Starbucks locations and a variety of media companies. Attempts to unionize Amazon, Google, Tesla and others have also gotten wide attention.

Attempts to unionize are up, at least compared to the height of the COVID pandemic, when many businesses were shut down. And yes, individual coffee and fast food restaurants are getting unionized.

But this coverage misses the forest for the trees: The percentage of workers choosing to join a union is at the lowest level on record. And a decade after Michigan became a right-to-work state — where workers cannot be forced to join or pay money to a union — it has become ground zero for the collapse of organized labor.

Since 2012, when the right-to-work law passed, nearly all of Michigan's largest unions have seen huge declines in membership. In what is widely heralded as the birthplace of organized labor, the United Auto Workers has lost 25,000 autoworker members, nearly one-third of the teachers in the Michigan Education Association have fled, and nearly half the state workers represented by AFSCME have resigned from the union.

The Mackinac Center has supported the right of people to fully have a choice when it comes to organized labor in the workplace. Our policy experts have supported the economic case for right-to-work. We have filed lawsuits representing more than a dozen union members who were blocked from leaving. And we have sponsored marketing campaigns and websites informing

\$637 million

How much money unions have lost since the Janus decision

1 million

How many people have opted out

21.2%

Percentage drop in union membership

All of the above are estimates based on public records requests.

workers of their rights, helping them navigate the process of opting out and answering their questions about the law.

Since Michigan began giving workers a choice in union membership 10 years ago, well over 100,000 of them have decided to opt out. Contrary to what you might read in the media, worker choice has pushed organized labor to an all-time low in modern history. ■



By Jarrett Skorup

Senior Director of Marketing and Communications

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Right-to-Work and School Choice Are Victories for You and Your Children

The Mackinac Center's founders gave us a mandate to make Michigan the freest and most prosperous state in the country. On top of the list were two ambitious goals: Make Michigan a right-to-work state and achieve universal school choice.

So aspirational was the prospect of right-to-work that for 20 years, some of our friends advised us to stop talking about it. It was not a realistic goal, they said. But then, as now, we asked, "If not Mackinac, then who?"

The Mackinac Center exists to shift the Overton Window on aspirational matters in the direction of sound, free-market policy. Or, to paraphrase the legendary economist Milton Friedman, to take that which is politically impossible and create an environment where it becomes politically inevitable.

Right-to-work was too important for us to sit on the sidelines. It is the single most important labor policy states can enact. Right-to-work states have seen greater growth in jobs and wages than have states with forced unionization. They have enjoyed greater population growth, as many people, perhaps including your children and grandchildren, move to states with greater economic and labor freedom.

And, most important of all, the law is moral. It protects the right of people to choose freely whether to give money to labor unions — or not. The freedom

to refrain is valuable, given that unions often support political causes workers disagree with.

With your partnership, we lit up the exits once right-to-work was enacted. We helped guide countless workers through the opt-out process so they can keep more of their hard-earned dollars for their own concerns, starting with their families.

As workers leave unions, unions' political power declines. So in 2021, over the objections of deflated teachers unions, legislators passed a major school choice bill.

This was driven by parents who were sick of union-backed school shutdowns and the realization that government schools all too often benefit a select group of adults at the expense of children. After Gov. Gretchen Whitmer quietly vetoed the legislation, hundreds of thousands of citizens signed a ballot proposal to go around her.

The advances we have made for worker and parental rights show what can be accomplished with your partnership. We expect the governor and new legislative leaders to make a full-on assault on right-to-work next year. With your help, we will respond. ■



Joe Milligan

Director of Strategic Partnerships