



Cosponsor H.R. 1047, the State Right to Vote Act

Protect states' prerogative to strengthen Right to Work laws by Requiring Secret Union Balloting

Representative Jeff Duncan (SC-3) recently introduced H. R. 1047, the State Right to Vote Act, to counter ongoing legal, adjudicatory, and regulatory attempts by the National Labor Relations Board to undermine the right of private sector workers to cast secret ballots for determining union representation elections in the workplace.

A state-based movement to counter the NLRB's assault on free choice in union elections has sprung up in the form of voters placing secret ballot provisions in their state Constitutions. Under these provisions, no union can be recognized as the official bargaining representative for any workers unless a secret ballot supervised by the NLRB has first taken place to prove true majority support for the union. Already, the voters of Utah, Arizona, South Dakota, and South Carolina have chosen by overwhelming margins—in the range of 60% to as high as 86%--- to rebuff the National Labor Relations Board and its allies in Big Labor that want to subject workers to coercion tactics at work and at home.

In a clear attempt to intimidate these states and prevent the secret ballot movement from spreading to others, Acting NLRB General Counsel Lafe Solomon has written their Attorneys General to inform them that he has been authorized to initiate a Federal lawsuit to enjoin the states from enforcing these constitutional secret ballot amendments approved by their voters.

Solomon essentially told state Attorneys General to ignore their states' voters and the state constitutions they are sworn to uphold. Worse, the taxpayers of any states that resist the NLRB's intimidation tactics would face double jeopardy in a Federal lawsuit---they would pay Federal taxes to have their rights suborned, while paying state taxes to have those rights defended.

Representative Duncan's State Right to Vote Act attacks this pernicious assault on the states in two ways:

- Clarifies that state-approved legislation or Constitutional amendments insuring secret union ballots are appropriate exercises of states' congressionally approved authority to enact Right to Work laws and other measures to protect workers from being forced to join unions as a condition of employment;
- Prohibits challenges by the National Labor Relations Board or any agency of the federal government to state statutes or constitutional amendments that prohibit the recognition of unions as the bargaining representatives of any workers absent an NLRB-conducted secret ballot.

The battle to protect workers' right to a secret ballot did not end with the resounding defeat of Big Labor's so-called "Card Check" legislation in the last Congress. The renewed assault on secret ballots by unelected bureaucrats at the NLRB, cheered on by the Big Labor allies who wielded their clout in Congress to get them appointed, shows that the battle has only just begun.

Please contact Representative Duncan and ask him to add your name to the 30 cosponsors who have already signed on to H.R. 1047.