



## RIGHT TO WORK

# NEWS

From the NATIONAL RIGHT TO WORK COMMITTEE  
1900 L Street, N.W. • Washington, D.C. 20036

TELEPHONE: 296-0720—AREA CODE 202

FOR RELEASE: Wednesday  
June 14, 1967  
Contact: Hugh C. Newton  
News Release #361

WASHINGTON, D.C., June 14 - "Individual freedom suffered another blow at the hands of the Supreme Court in Monday's 5-4 decision upholding the right of a union to fine members for crossing its picket line during strikes," Reed Larson, Executive Vice President of the National Right to Work Committee said today.

"The decision," Mr. Larson said, "gives further ammunition to the labor bosses' advocacy of total enforced union solidarity at the expense of the liberty of individual employees and dramatically underscores the absolute necessity of providing the rank-and-file workers with the protection of Right to Work laws outlawing compulsory union membership.

"As a result of the Court's decision in this case involving the United Auto Workers and employees of the Allis-Chalmers Manufacturing Company, rank-and-file workers now can not only be dragooned into a union to which they don't want to belong but they can also be forced to support a strike they do not favor.

"Up-to-now those who have advocated repeal of Section 14(b) of the Taft-Hartley Act, which would allow the compulsory union shop in all 50 states, have argued over and over again that the union shop proviso of Taft-Hartley requires nothing more than payment of dues and assessments and does not even require membership.

"The latest Supreme Court decision is another in a series of decisions that by 'interpretation' is systematically chipping away at past efforts of Congress to provide some check on the excessive power concentrated in the hands of a few top

(More)

union officials (the 1947 Taft-Hartley Act forbade coercive union practices and the 1959 Landrum-Griffin Act restricted unrestrained power and the non-accountability of union leaders).

"Justice Black put his finger on the danger to individual rights posed by the decision in his minority opinion saying, 'If the union uses the union security clause to compel employees to pay dues, characterizes such employees as members, and then uses such membership as a basis for imposing court-enforced fines upon those employees unwilling to participate in a union strike, then the union security clause is being used for a purpose other than 'to compel payment of union dues and fees.' It is being used to coerce employees to join in union activity in violation of Section 8 (b) (3)...

'Today's decision makes it highly dangerous for an employee in a union shop to exercise his Section 7 right to refrain from participating in a strike called by a union he is a member by name only.'"

The case started when the General Counsel of the NLRB issued a complaint that UAW locals 248 and 401 violated Section 8 (b) (1) (A) when they fined union members for crossing picket lines during union strikes against Allis-Chalmers in 1959 and 1962. The union contract requires an employee to become and remain a UAW member "to the extent of paying his monthly dues and initiation fees, if any." The employees refused to pay the fines and the union brought legal action in the Wisconsin courts to recover from the individual employees the amount of the fines.

Allis-Chalmers took the position that the fines imposed on these employees violated rights guaranteed to them under Section 7 of the NLRB to form, join or assist labor organizations and engage in concerted activities for collective bargaining, or "to refrain from any or all such activities."

The Board held that the conduct complained of did not violate the section and dismissed the General Counsel's complaint. The Seventh Circuit Court at first upheld the dismissal order but after a rehearing withdrew its first opinion and held

(More)

-3-

that the union had violated the section prohibiting union restraint or coercion of employees. It remanded the case to the Board for further proceedings but the Board took the case to the Supreme Court and won a review.

# # #

HCN:neg