

Key points you need to know about “Right to Work”

What is Right to Work? This legislation means that an employee cannot be required to join or financially support a union in order to be employed. Most recently, Michigan was added to the list of twenty-three states that currently have “Right to Work” legislation.

This legislation went into effect March 28, 2013.

What does this mean to our current workforce? The languages in the current collective bargaining agreements are applicable until the collective bargaining agreement expires. Those who are in a union must remain with their respective union until the collective bargaining agreements expire or renew. At that time, every employee in the bargaining unit (each “bargaining unit member”) can freely choose to become a member of the union (to “join” the union), or to not become a member of the union (to “not join” the union).

What is the difference between bargaining unit membership and union membership? Bargaining unit membership and union membership are distinct. An employee is always a *bargaining unit member*. An employee becomes a *union member* only through choice. If an employee chooses not to become a union member he/she will remain a bargaining unit member, remain entitled to representation by the union, remain covered by this collective bargaining agreement, and remain entitled to any benefits set forth in their respective collective bargaining agreement.

An employee who becomes a union member may be required by the union to pay union fees and/or union dues (the amounts and regularity of those fees/dues payments to be decided by the union).

Does a union still represent employees who refuse to join or refuse to pay union dues? Yes. A union still has the legal obligation to represent employees (i.e., bargaining unit members) who refuse to join the union or pay union dues in collective bargaining, grievance and arbitration proceedings. However, if an employee does not join a union, the employee will not have the right to vote in union elections or for ratification of collective bargaining agreements.

What should supervisors be aware of? The University will not tolerate harassment or discrimination against any employee who chooses to become a union member or chooses not to become a union member. Any employee determined to have harassed and/or discriminated against a colleague because that colleague chose to become a union member or chose to not become a union member, or chose to pay union dues or chose to not pay union dues, will be subject to appropriate corrective/disciplinary action, up to and including termination “for cause.”

Any violations of this could lead to a civil fine of not more than \$500 of a person, employer or labor organization. As a supervisor, you are to stop harassment or discrimination actions if you become aware of them.

Will unions still exist? Yes. How this will affect unions financially is an unknown. Employees will still have the right to organize together to form, join or assist labor organizations, to engage in lawful protected concerted activity for the purpose of collective negotiation and bargaining and to bargain with their employers through representatives of their choice.