



Union Shop Labor Basics

Union Shop Workplace

What is Union Shop? In the United States of America, a *union shop* is a negotiated union security clause between unions and private sector employers. Under a *union shop* clause the private sector employer may hire either labor union members or nonmembers but all employees must become union members within a specified period of time.

Under the National Labor Relations Act (NLRA), the union and employer may negotiate an *agency shop* agreement, which does not require workers to join a union but to pay equivalent union dues. By law, labor unions are required to negotiate for and defend the rights of all workers in the bargaining unit, whether they are members or not. This obligation is known as the duty of fair representation. In addition, a check-off agreement, in which an employee authorizes the employer to deduct union dues from his or her paycheck, is common practice.

Ohio is one of 28 states that is a *union shop* state. In 1947 Congress overrode a presidential veto and amended the NLRA to allow states to prohibit employers and unions from negotiating *union shop* clauses. Some states have adopted this anti-union measure, which is commonly referred to as "*right to work*." *Right to work* requires the union to represent the worker but does not require the worker to join the union or pay his or her fair share of dues. In 1958, Ohio voters overwhelmingly rejected a business led state ballot initiative to make Ohio a *right to work* state.

Why is Union Shop Best for Ohio? *Union shop* states have healthier and safer workplaces where workers receive significantly better pay and benefits. *Right to work* laws lower wages for everyone. The average worker in a *union shop* state makes about \$5,333 a year more than workers in *right to work* states. Working families in *union shop* states have higher wages and benefit from healthier tax bases that improve their quality of life.

Union shop states also allow workers to negotiate workplace safety rules that keep workers healthier, on the job and more productive. According to the federal Bureau of Labor Statistics, the rate of workplace deaths is 51 percent higher in *right to work* states.

Supporters of *right to work* claim it protects employees from being forced to join unions. Don't be fooled—federal law already does this, as well as protecting nonmembers from paying for union activities that violate their religious or political beliefs. This individual freedom argument is a charade.

Right to work laws just aren't fair to dues-paying members. If a nonunion worker is fired illegally, the union must use its time and money to defend him or her, even if that requires going through a costly legal process. Nonmembers can even sue the union if they think it has not represented them well enough. Everyone benefits, so all should share in the process.