



Foundation Action

The bi-monthly newsletter of the National Right to Work Legal Defense Foundation, Inc.

Vol. XXX, No. 2

8001 Braddock Road • Springfield, Virginia 22160

www.nrtw.org

March/April 2010

Federal Lawsuit Challenges Michigan Scheme to Impose Union on Child-Care Providers

Legal challenge could end nationwide drive to corral hundreds of thousands into forced-dues ranks by political fiat

LANSING, MI – In what can only be described as a blatant scheme of union boss political payback, Michigan Democratic Governor Jennifer Granholm is colluding with union bosses to force all of the state’s more than 40,000 home-based child-care providers into compulsory unionism.

In a late 2006 act of connivance, Michigan Department of Human Services (DHS) officials — under the direction of Granholm, who was in a contested reelection bid at the time — created the “Michigan Home Based Child Care Council” to act as the so-called “management” of the home-care providers.

Then, a union front group called “Child Care Providers Together Michigan” (CCPTM) — a joint operation run by United Autoworkers (UAW) and American Federation of State, County, and Municipal Employees

(AFSCME) union officials — made a concerted effort to foist their union “representation” on the home-care providers.

Even though only 15 percent of the 40,000 day-care providers “voted” in the union certification election, the CCPTM union hierarchy was granted monopoly bargaining privileges and political representation over all of Michigan’s home-care providers. The union certification took place after an unusual “mail-in” vote.



Detroit News

Governor Jennifer Granholm’s scheme forced Michigan home-care workers into the forced-dues ranks of UAW union chief Ron Gettelfinger

tiated and supported the plot, including Governor Granholm.

“I’m frustrated with the fact that I was forced to join the union — I feel it’s wrong,” stated Carrie Schlaud, a home-based provider who

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Courageous child-care providers challenge crony unionism

The Michigan DHS now siphons union dues from the child-care providers’ paychecks and forwards the money into the union bosses’ bank accounts. Recent media reports suggest that in exchange for their special government-granted privileges to force the home-care providers under union monopoly control, the union bosses benefiting from this scheme contribute millions of dollars to various pro-compulsory unionism politicians who ini-

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Foundation Victory Could Undo Nationwide Scheme

Additional cases to be filed

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employs one other person to help care for about a dozen children. “This is money that should be earmarked to low-income families but now is going to union officials as part of political pay-back.”

With free legal aid from National Right to Work Foundation attorneys, a brave contingent of Michigan’s home-based day-care providers — Diana Orr, Edward and Nora Gross, and Peggy Mashke — joined with Ms. Schlaud to file a class-action federal lawsuit against CCPTM union officials and Granholm’s Administration demanding that the corrupt agreement cease.

“It’s not about the money or about being ‘anti-union;’ it’s about the principle. And that I had no choice in whether to pay union dues,” added Schlaud.

The class-action suit challenges the forced-unionism scheme on the grounds that it violates the U.S. Constitution’s guarantees of free political expression and association.

“The forced political association that is occurring in Michigan is a slap in the face to fundamental



Home-care provider Carrie Schlaud: “The National Right to Work Foundation gave voice to the ‘little guy’, a small town child-care provider, when nobody else would listen. I’m grateful for the help.”

Illinois and 12 other states, to use the government to assist in coercing more than a quarter of

American principles,” declared Mark Mix, president of National Right to Work.

The situation in Michigan is not the first time Big Labor has tried to take over the child-care provider industry. In fact, it is one of Big Labor’s newest and biggest organizing schemes.

Union kingpins in various states across the country have used their forced dues-funded political power over politicians in California,

a million day-care and home-care workers into union monopoly bargaining schemes.

Michigan case potentially affects hundreds of thousands across country

“This union boss power grab has been exposed as pure political payback and was popularized by disgraced Governors Gray Davis of California and Rod Blagojevich of Illinois,” Mix noted.

“When left unchecked, union bosses then funnel millions of dollars to the campaigns of pro-forced unionism politicians, and the same politicians force home-care providers to pay millions of dollars into union boss coffers, creating a vicious cycle of corruption and unaccountability,” Mix further explained.

If Foundation litigators are successful in the Michigan federal court, the decision can have a far-reaching, national impact in rolling back Big Labor’s state-by-state push to force susceptible, unsuspecting home-care providers under union control. ♣

Foundation Action

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Distributed by the
National Right to Work Legal Defense and Education Foundation, Inc.
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The Foundation is a nonprofit, charitable organization providing free legal aid to employees whose human or civil rights have been violated by abuses of compulsory unionism. All contributions to the Foundation are tax deductible under Section 501(c)(3) of the Internal Revenue Code.

Union Boss Privacy Victims Case Taken to Supreme Court

Union organizers illegally accessed DMV records during drive to unionize Cintas employees

WASHINGTON, DC – In an ongoing battle over illegal privacy violations by UNITE union organizers, National Right to Work Foundation attorneys have asked the United States Supreme Court for permission to inform victims of union organizers' attempts to acquire confidential records.

In 2007, Foundation attorneys filed a motion to intervene in *Pichler v. UNITE* after a district court held that militant union organizers unlawfully used license plate numbers from over 1,500 Cintas Corporation employees to access their personal information through Department of Motor Vehicles (DMV) records. Union operatives also conducted an additional 12,100 searches on individuals who may have been employed by other nonunion companies targeted by UNITE in a union Top Down organizing scheme.

Union operatives invade workers' privacy to lay the groundwork for card check

The *Pichler* lawsuit revealed that UNITE organizers violated the Driver's Privacy Protection Act of 1994 (DPPA), which bars outside parties from using DMV records to find drivers' personal information. Union organizers illegally obtained the home addresses of Cintas employees for the purpose of conducting "home visits" to pressure and browbeat workers into signing union authorization cards. Union officials intended to use these authorization cards to bypass the secret ballot election process by claiming the cards demonstrated a majority of employees supported union monopoly bargaining.

"Card check campaigns are intimately connected to violations of workers' privacy," said Ray LaJeunesse, vice pres-



After recording license plate numbers, union operatives illegally searched confidential DMV records to obtain workers' names and addresses.

ident and legal director of the National Right to Work Foundation. "Because union operatives are so intent on bullying workers in person, they have a huge incentive to illegally obtain employees' home addresses."

Foundation attorneys attempt to bring union privacy violations to light

After reviewing the case, the U.S. District Court determined that union organizers repeatedly violated employees' privacy, collecting workers' license plate numbers to search nearly 14,000 driving records. Although Cintas employees filed a class-action lawsuit that forced the union to pay damages, the remaining 12,100 workers are still unaware that UNITE operatives accessed their confidential records.

Foundation attorneys argue that everyone targeted by UNITE organizers should be made aware of union organizers' privacy violations. In an ironic twist, however, the United States Court of Appeals held that the DPPA also pro-

hibited disclosure of evidence of privacy abuses, even if such disclosure is necessary to inform victims that their rights have been violated. That ruling, which is now being appealed to the Supreme Court, effectively renders the DPPA self-defeating by making it almost impossible to inform victims that their records have been illegally accessed.

The Foundation's motion sought to modify a protective order which prevents any of the 12,100 non-Cintas employees from being notified about UNITE operatives' intrusive organizing tactics. The Foundation is seeking the right to send out a one-time mailing under court supervision to each citizen

illegally targeted by union operatives. Ultimately, those 12,100 victims could be entitled to \$2,500 per violation in liquidated damages.

"UNITE union bosses need to be held accountable for every one of these violations of employee privacy."

"UNITE union bosses need to be held accountable for every one of these violations of employee privacy," continued LaJeunesse. "Justice demands that union organizers not be able to hide their crimes behind the very law they violated."✚

Make a Difference in the Fight Against Compulsory Unionism

The National Right to Work Foundation counts on supporters like you

Have you thought about a way to make the National Right to Work Legal Defense and Education Foundation, Inc. part of your estate plans while successfully easing your tax burdens? Now is the time to review many effective ways of accomplishing your estate and planned giving goals.

By taking advantage of one of the many estate planning options, Foundation supporters can accomplish their goals of assisting the Right to Work cause while maximizing the tax efficiency of their charitable giving. If you begin to review your options today, you can best put an ideal plan into action that will benefit you, your family, and the Right to Work movement.

Giving offers many tax advantages

Your National Right to Work Foundation's Planned Giving program provides its supporters with many versatile options that can be specifically tailored to meet your financial needs and family goals. There are giving tools to

If you would like additional information on the Foundation's Legacy Society, or any planned giving information, please contact Ginny Smith at 1-800-336-3600, ext. 3303.



consider that can offer the following advantages: maximizing income tax deductions, minimizing capital gains taxes, avoiding burdensome estate tax bills, and even providing a life-long income stream.

Among the most common financial vehicles to make planned gifts to the Foundation are bequests, charitable gift annuities, and even trusts. In addition to speaking with the staff experts here at the National Right to Work Foundation, we encourage you to contact your own financial advisor or attorney before you make a decision on which planned gift best meets your and your family's needs.

Tax-advantageous giving options include:

- gifts of cash (a tax deduction immediately upon gift date);
- gifts of securities (a tax deduction and no capital gains tax);
- wills and living trusts (a plan of action for the future);
- gift annuities (a tax deduction

in the current year and an income stream for life);

- pooled income fund (an alternative life income situation).

We hope you will consider a planned gift to the National Right to Work Foundation soon. While gifts of cash or stock are deeply appreciated for our everyday operations, a planned gift may result in even more advantages to you, your family, and the future goals of the Foundation.

National Right to Work Foundation Legacy Society

In past issues of *Foundation Action*, we have highlighted the Foundation's Legacy Society and have been very encouraged with the response. We are just a few months away from celebrating the five-year anniversary of the Legacy Society with a current enrollment of 107 members.

You can enroll and become a mem-

ber of the Legacy Society by making a planned gift of any kind to the Foundation and then letting us know of your plan. As a member of the Society, you are entitled to benefits including invitations to private Right to Work events, recognition of your name on a Legacy Society plaque in the Right to Work offices, and the assurance that you have made a significant contribution to the long-term growth and well-being of the Right to Work Foundation's strategic litigation goals.

Reed Larson Endowment Fund

The Foundation's Board of Trustees has named its endowment fund in honor of Reed Larson, who served as president of the Foundation from its founding in 1968 until 2003. This fund is designed to provide ongoing operating income necessary to carry on the Foundation's legal aid and media programs to stop the abuse of compulsory unionism.

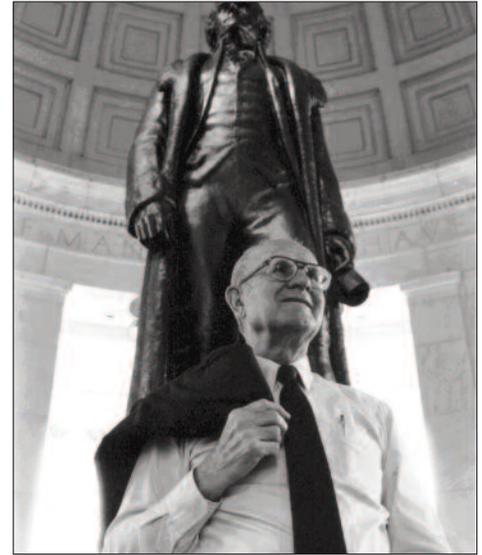
A contribution designated to this Endowment Fund is invested in growth and income-producing assets. The

income generated each year is then transferred into the Foundation's general operating account and used to fund the advancement and future cases of the Foundation's ongoing program. This will allow Foundation attorneys to litigate current cases as well take on new cases designed to establish new legal precedents.

Every case taken on by the Foundation is a long term commitment, and it is our belief that the Reed Larson Endowment Fund will help make sure that the Foundation is on stable financial ground now and in the future, ensuring that there are resources available to assist the thousands and thousands of brave employees across the country who stand up and fight against ugly compulsory unionism abuse.

Contact a Foundation planned giving expert today

Please take the time to review your current financial situation and consider a planned gift today to the National Right to Work Foundation. Your



Contributions to the Reed Larson Endowment Fund help ensure that the Foundation can continue its critical mission in the coming years.

investment today with a planned gift will make a huge impact in advancing the Right to Work cause tomorrow.

If you would like to enroll in the Legacy Society or make a donation to the Reed Larson Endowment Fund, or if you have any questions regarding planned giving, please contact Ginny Smith in our planned giving department at 1-800-336-3600, ext. 3303.✚

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Age	Rate
65	5.8
70	6.2
75	6.8
80	7.6
85	8.6

Foundation Unearths Ethical Lapses in Obama Administration

Former AFL-CIO lawyer oversees disclosure rules she sought to dismantle in court

WASHINGTON, DC – After repeated requests for basic disclosure of public documents, the Obama Administration has finally been forced to respond to one of the National Right to Work Foundation’s pending Freedom of Information Act (FOIA) requests.

Although Foundation attorneys have submitted several FOIA inquiries, and even filed a federal lawsuit aimed at forcing the Administration to respond to these disclosure inquiries as law requires, the Department of Labor (DOL) has so far only addressed one such request.

Last summer, Foundation attorneys requested copies of the Obama Administration’s “ethics pledges,” signed documents from high-ranking officials affirming that they will not participate in any activities related to the interests of former employers for the next two



A Labor Department document dump revealed evidence that AFL-CIO lawyer turned high-ranking Administration official Deborah Greenfield violated her signed ethics pledge.

years. Right to Work litigators also asked for all correspondence related to Deborah Greenfield, a former AFL-CIO lawyer, and Secretary of Labor Hilda Solis, who previously worked for Big Labor front group American Rights at Work. Early this March after delaying for 11 months, Labor Department officials responded to these requests with a “document dump” of inter-office correspondence and copies of ethics pledges from senior officials.

“Document dump” reveals Big Labor double standard

The Administration’s belated disclosure revealed that Deborah Greenfield, a senior AFL-CIO attorney turned high-ranking DOL official, signed an ethics pledge that on its face violated a presidential Executive Order. Despite affirming in the ethics pledge her intent not to involve herself in any issues related to her former employer, Greenfield now oversees the Department of Labor’s union disclosure guidelines — the same guidelines she sought to undermine in court while working as an AFL-CIO lawyer.

“The Obama Administration has repeatedly exempted Big Labor from its highly touted ‘ethics policy,’” said Mark Mix, president of the National Right to Work Foundation. “Despite her attempts to gut disclosure guidelines as an AFL-CIO lawyer, Greenfield is appar-

ently now supervising the same union regulations from her perch at the Department of Labor.”

“While disclosure alone won’t solve the problem of compulsory unionism, union bosses should not be allowed to hide their activities from rank-and-file employees.”

Foundation continues to push for greater Department of Labor disclosure

Although the Administration has not been forthcoming with new information,

Foundation attorneys continue to work towards greater transparency at the Department of Labor. The FOIA requests are aimed at uncovering any conflicts of interest among former Big Labor operatives at DOL.

“While disclosure alone won’t solve the problem of compulsory unionism, union bosses should not be allowed to hide their activities from rank-and-file employees who are forced to fund their salaries,” continued Mix. “With so many former union officials now running Obama’s Labor Department, you could accurately call it the Department of Big Labor.”✚

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CWA Bosses Attempt to Rig Employee Vote to Throw Union Out

Foundation attorneys fight effort to lock employees into union ranks through card check

SEATTLE, WA – After forcing a group of AT&T employees into unionization through a coercive card check organizing scheme, Communication Workers of America (CWA) union bosses are pulling out all the stops to prevent the workers from throwing out the unwanted union.

Under a so-called “neutrality agreement,” in exchange for contract concessions CWA union organizers were granted unlimited access to 140 employees working for the telecommunications giant at various locations across Washington state.

As part of the deal, the employees would be swept into the CWA union’s regional monopoly bargaining unit, which consists of thousands of employees, making it virtually impossible for them to organize later to remove the union officials’ monopoly bargaining privileges.

Union bosses attempt to rig decertification vote

Citing precedent won by National Right to Work Foundation attorneys in the National Labor Relations Board (NLRB) 2007 decision in *Dana Corporation* — which gave workers the power to demand a secret ballot election within 45 days of notice of union recognition by card check — a group of independent-minded employees sought an election to determine whether they wanted to be “represented” by the CWA union.

CWA union lawyers attempted to block the employee-initiated election because the request for the election was not made within the 45-day window period. However, the NLRB regional director in Seattle rejected the union lawyers’ tactics because the employees



CWA union bosses across the country have used an inflatable rat and other far uglier tactics to browbeat AT&T into selling out its workers.

had not been told of their right to request the election because the required notification of their rights was apparently “taken down” at the facility where a majority of the employees worked.

“CWA union officials are trying to rig the election by adding to the list of eligible voters workers who were not included in the card check campaign.”

While CWA union lawyers are attempting to tie up the election by appealing the regional director’s decision to the national Board in

Washington, DC — like union lawyers in several other high-profile cases asking the NLRB to undo workers’ *Dana* protections — CWA union officials are trying to rig the election by adding to the list of eligible voters workers who were not included in the card check campaign. This brings into question AT&T’s recognition of the union as the workers’ monopoly bargaining agent.

Case highlights need for state Right to Work protections

With free legal aid from National Right to Work attorneys, AT&T employee Greg Hartmann of Auburn filed charges challenging the union and company officials’ pre-recognition negotiations because the union lawyers’ efforts

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CWA Union Bosses

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to change the eligible voters list in the employees' decertification election suggest the union bosses were prematurely recognized.

"CWA union bosses' attempt to rig the decertification election, aimed to prevent the workers from throwing out the unwanted union, has undermined their claim that they are the monopoly bargaining agent of these employees," said Patrick Semmens, legal information director of the National Right to Work Foundation.

"The union officials' blatant disregard for the rights of employees in this case shows the need for Washington state to pass a Right to Work law which guarantees that union membership and dues payment be completely voluntary."✶

Newsclips Requested

The Foundation asks supporters to keep their scissors sharp for clipping news items exposing the role union officials play in disruptive strikes, outrageous lobbying, and political campaigning. Please clip any stories that appear in your local paper and mail them to:

NRTWLDF

**Attention: Newsclip Appeal
8001 Braddock Road
Springfield, VA 22160**

**Supporters can also email online
stories to wfc@nrtw.org**



Message from Mark Mix

President
National Right to Work
Legal Defense Foundation

Dear Foundation Supporter,

Here in Washington, DC, we see it every day. No matter the issue, the union bosses want a piece of the action.

From health care to national security, Big Labor's high command flexes its political muscles and demands more handouts, special privileges, and forced unionism power.

Big Labor's government-granted power to seize money directly from hard-working Americans' paychecks allows the union bosses to funnel billions of dollars into radical political activism without any regard as to the views of those they claim to represent. That means more pro-forced unionism politicians willing to pay union bosses back with yet more special privileges.

In recent years, the union bosses have increased their power over state capitals and governors' mansions. For example, disgraced former governors Rod Blagojevich of Illinois and Gray Davis of California repaid their Big Labor backers by forcing unionization on home-care providers, and 12 states now have similar schemes.

The latest is Michigan, where Governor Jennifer Granholm implemented a scheme to corral 40,000 home-care providers into dues-paying ranks. In response, National Right to Work Foundation staff attorneys have filed a federal class-action lawsuit for the Michigan child-care providers challenging the forced-dues racket.

Our strategic litigation could free tens of thousands of Michiganders from union boss control, pave the way to strike down similar laws in other states, and nip in the bud Big Labor's plans to force union boss "representation" on home-care providers across the country by federal fiat.

Your generous support makes our groundbreaking legal aid program possible. Fortunately, more Americans are catching on each day to the evils of Big Labor's forced-dues empire. Together, we can and will fight back.

Thank you for all you do.

Sincerely,


Mark Mix