

THE "RIGHT TO WORK" LAW

Provisions Covering Both Private and Public Employees

- Unions can no longer negotiate union shop only agreements. Unions can no longer require workers to join the union; to pay dues, initiation fees, or other fees or assessments; or to pay "fair share" fees.
- Union shop clauses in contracts entered into or extended before January 9 are still valid, and unions can enforce them until the contract expires. Contracts entered into or extended on or after January 9 cannot require employees to pay dues or fees to the union as a condition of employment.¹
- Persons who require union dues as a condition of employment may be assessed a civil penalty of \$100 to \$1,000 and be found guilty of a Class A misdemeanor.
- New contracts should be drafted to account for restoring union security clauses if the RTW law is repealed or it is struck down by the courts, and also to apply to employees who do not work in a RTW state.
- Unions and their members can still vigorously persuade workers to join the union, but without making threats. The union can publicize the names of free riders who refuse to join.
- Unions do not have to let non-members vote on contracts, hold union office, attend social functions, or even attend union meetings. (Check your bylaws.)
- Unions must represent all workers in the bargaining unit fairly, even the free riders. This includes the same representation in grievances as provided to union members.

Provisions Covering Public Employees

- Public employees cannot strike. (Even before this law, public employees in Kentucky did not have the right to strike.)
- Public employees must provide written authorization for dues deduction and must have the right to revoke their check-off authorization at any time.

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¹ Unions can still negotiate union shop clauses with contractors for work in exclusive federal enclaves, such as Ft. Knox.