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RIGHT-TO-WORK RESOURCES

Under right-to-work laws, states have the authority to determine whether workers can be required to join a labor union to get or keep a job.

Currently, 24 states and Guam have given workers a choice when it comes to union membership. Labor unions still operate in those states, but workers cannot be compelled to become members as a requirement of their job.

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Summary

In states without a right-to-work law, employees may be required to join a labor union if it represents workers at their place of employment. Those who refuse to join the union may still be required to pay for the costs of representation, since they profit from the union's efforts in negotiating wages and benefits on behalf of all employees. Such "fair share" payments are often equivalent to the cost of union dues.

The first right-to-work laws were passed in the 1940s and 1950s, predominantly in Southern states. Most right-to-work laws were enacted by statute but 10 states adopted them by constitutional amendments. There was a surge of interest in the issue in the 1970s and again in the 1990s, but only a handful of states have enacted right to work laws since the initial wave in the mid-20th century.

Federal law sets standards for the operation of labor unions in the private sector through the Labor-Management Reporting and Disclosure Act of 1959. Provisions of federal law govern union elections, management, finances and reporting. Right to work, however, has remained a state issue.

Right-to-Work States

State	Year Constitutional Amendment Adopted	Year Statute Enacted
Alabama		1953
Arizona	1946	1947
Arkansas	1944	1947
Florida	1968	1943
Georgia		1947
Idaho		1985
Indiana		2012
Iowa		1947
Kansas	1958	
Louisiana		1976
Michigan		2012
Mississippi	1960	1954
Nebraska	1946	1947
Nevada	1952	1951
North Carolina		1947
North Dakota	1948	1947
Oklahoma	2001	2001

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South Carolina		1954
South Dakota	1946	1947
Tennessee		1947
Texas		1993
Utah		1955
Virginia		1947
Wyoming		1963

Sources: U.S. Dept. of Labor, state website



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State Legislative Action

2013: Right-to-work legislation was introduced in 21 states during the 2013 legislative session, as well as in the District of Columbia and the U.S. Congress. Tennessee was the only state to pass legislation, prohibiting waiver of rights to join or refrain from joining a union.

2012: Nineteen states debated right-to-work legislation during the 2012 session. Laws were passed in four states, two of which either established or expanded right-to-work laws and two of which added enforcement or notice provisions to their current right-to-work laws. Michigan became a right-to-work state and Indiana expanded its right-to-work provisions from covering just school employees, to covering all private sector employment. The activity in the 2012 legislative session compares to sixteen states that considered right-to-work bills in the 2011 legislative session, although none passed.

[Summary of 2013 Right-to-Work Legislation](#)

[Summary of 2012 Right-to-Work Legislation](#)

[Collective Bargaining Database](#)

Additional Resources

[State Right-to-Work Laws LegisBrief, May 2012](#)

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