

March 17, 2017



Legislative Update

Just as our friends in the Legislature were arguing that lawmakers should not be passing a bill directly affecting the so-called “Right to Work” law because it is the subject of litigation, we received news that our lawsuit had moved another step forward. Early this week, the state Supreme Court declined to quickly take up Attorney General Patrick Morrissey’s attempt to overturn Kanawha Circuit Judge Jennifer Bailey’s temporary injunction halting Right to Work.

By a 3-2 vote, the Supreme Court rejected the attorney general’s assertion that there is an urgent need to consider his challenge of the ruling temporarily stopping Right to Work. The justices decided to instead allow the court case to progress normally.

The Republican legislative leadership, however, does not want to wait for the court to rule. This week, the Legislature passed Senate Bill 330, which attempts to correct several critical errors in the law which we pointed out in our lawsuit (at least one of which was apparently the result of copying sample legislation provided by out-of-state corporate interests.)

We are deeply grateful to our friends in the Legislature who voted against the bill. All 12 Democrats in the Senate voted “no,” while in the House of Delegates all 36 Democrats, the 1 Independent and 11 Republicans joined together in voting “no,” resulting in a 52-48 vote, which is even closer than the vote on the entire law last year.

Delegate Scott Brewer, a union carpenter who has been in construction for 39 years, told his colleagues, “This bill does nothing. The sole intent is to weaken unions.”

Delegate Mike Caputo, a WV AFL-CIO vice president and UMWA official, surprised the House leadership with a motion to change the title of the bill from “Workplace Freedom” to “Right of Workers to Freeload off of Unions Act.” The motion didn’t pass, but he succeeded in making his point.

- As far as we’re concerned, our measure of success this legislative session will be the number of bills that did not pass – bills pushed by the Republican legislative leadership aimed at hurting working families, lowering wages and making workplaces less safe.

We’re keeping a close eye on 15 or so such bills, as well as the “elephant in the room:” the state budget.

Governor Jim Justice has proposed two different versions of the budget in hopes of finding compromise, in the end recommending \$50 million in cuts. Meanwhile, the Republican leadership held a press conference announcing a “framework” for their budget proposal which appears significantly different – providing \$400 million less than the governor, in part by not funding the governor’s “Save our State” economic development fund (which promises to create as many as 48,000 jobs), not including a raise for teachers and making many cuts totaling more than \$270 million.

We will continue to follow the progress of the budget and any other legislation affecting working families, and report back next week.