

March 10, 2017



Legislative Update

The Legislature just passed the halfway point of the session, and so far the most notable bills on the move are Senate initiatives aimed at hurting working people and weakening labor unions. One of the more hostile pieces of legislation is Senate Bill 239, the “paycheck deception” bill to prevent withholding from an employee’s paycheck for political activities -- an attempt to impede the free speech of workers and their families.

That legislation got its start in the Senate’s newly named Workforce Committee, formerly known as the Labor Committee, which is supposed to be dealing with job creation, but has instead wasted the entire first half of the session taking up legislation that is solely intended to attack working people.

Another bill endorsed by the “Workforce” Committee, SB 222, would deny unemployment benefits for striking workers in all instances and locked out workers in some instances. Both bills have passed the Senate and are pending in the House of Delegates.

- We are still at a loss to explain why the Senate and House leadership feel compelled to advance a bill that is a direct response to our currently pending lawsuit against the so-called “Right to Work” law passed during the 2016 session.
- As we point out in our lawsuit, the bill contained several critical errors, at least one of which was apparently the result of copying sample legislation provided by out-of-state corporate interests. The new legislation, Senate Bill 330, is an attempt to correct those errors.

But they can’t re-legislate the biggest flaw in Senate Bill 1: The law violates provisions of the West Virginia Constitution that prohibit the taking of property without just compensation or due process. That’s because the Right to Work law prevents unions from charging nonmembers for representative services that federal law requires the unions to provide to those nonmembers.

We will be following, and report back on, these and all other legislation affecting West Virginia working families, including SB 221, removing labor organization representatives from the PEIA Finance Board; and Senate HB 2452, affecting state college and university staff, eliminating seniority as a factor in personnel layoffs or in any future recalls.