

March 27, 2017



Legislative Update

With less than two weeks to go in the 2017 regular legislative session, we are doing everything we can to fight several bills aimed at weakening the voice of working people and pushing the interests of rich corporations.

We have formally asked Governor Jim Justice to veto Senate Bill 330, which attempts to correct several critical errors in the so-called “Right to Work” law – errors which we pointed out in our pending lawsuit. Our friends in the Legislature argued unsuccessfully that lawmakers should not be passing a bill directly affecting the Right to Work law because it is the subject of litigation.

We agree with that assertion, and we also point out that despite fixing a few errors, Senate Bill 330 still has a major flaw in its title, which names it the “West Virginia Workplace Freedom Act.” While the title is truly laughable and clearly a political attempt to gain public support for the anti-worker bill, the West Virginia Constitution requires that a bill title must accurately reflect the intent of the legislation, and not mislead the public.

It is our hope that the governor issues a veto. Regardless, we will continue our legal fight arguing that the law violates provisions of the West Virginia Constitution that prohibit the taking of property without just compensation or due process. That’s because a Right to Work law prevents unions from charging nonmembers for representative services that federal law requires the unions to provide to those nonmembers.

Meanwhile, we’ve also submitted a formal request to the House Clerk for a public hearing on Senate Bill 239, which is an attempt to impede the free speech of workers and the groups that represent them. The bill would make employers responsible for monitoring any paycheck deduction an employee elects to have withheld, such as for union membership, a charity or other organization, and ensure the money is not spent on “political” activities.

While the intent is clearly to make union participation more difficult, in the end the legislation would hold employers responsible for keeping track of and reporting all their employees’ paycheck deductions – a burden we believe most business owners would not want. A public hearing would help draw attention to the negative consequences of Senate Bill 239.

* Time is running out for both houses to come to an agreement on the budget, and we are keeping a close eye on legislation that affects it. We are pushing for enactment of Governor Justice’s “Save our State” economic development fund, which promises to create as many as 48,000 jobs. He has proposed three main bills to fund the work, and we’ll be doing what we can to encourage lawmakers to support legislation to make those infrastructure projects happen.

We will continue to follow the progress of the Save our State, the budget and any other legislation affecting working families, and report back soon.