

Delivery alert until NaN

Guest Columns

Right-to-work is right for NM

By Matt Patterson / President, 1st Amendment First and Brent Yessin / Tampa, Fla., attorney

Wednesday, January 17th, 2018 at 12:02am

Thanks to the new tax law, trillions in corporate profits could start flooding back to America, creating thousands of jobs in the process. And local officials everywhere – including in New Mexico – will be looking for a way to bring some of that money to their communities.

Right-to-work (RTW) is a great place to start.

Right-to-work laws allow workers to opt out of union membership and dues. RTW doesn't do away with unions, or preclude workers from organizing if they wish. Nevertheless, union bosses prefer to organize where they can force every employee to pay dues, so they tend to steer clear of RTW areas. Business leaders know that, and therefore view RTW as a "welcome sign" to job creators. No wonder 28 states have such laws on the books. And now thanks to a landmark decision from one of the highest courts in the land, local governments can pass RTW as well.

One of the authors of this piece, Mr. Yessin, represented 12 Kentucky counties who passed their own local RTW laws in 2014-2015. Kentucky has since passed a statewide law, in part based on the successful experience of its counties.

Unions threatened those counties with legal action, but only Hardin County was actually sued. The unions lost – Hardin County's local RTW was upheld by the U.S. 6th Circuit Court of Appeals, with the U.S. Supreme Court refusing to hear the unions' appeal late last year.

The court based its decision on a growing number of Supreme Court cases upholding basic tenets of federalism: The states are free to delegate their authority to their political subdivisions, including counties, and sometimes municipalities. Some do that with "home rule" statutes, others through the Constitution.

The 6th Circuit didn't rely on the home rule statute in Kentucky as justification for upholding Hardin County's RTW, and in fact many states like New Mexico create the counties in their states' Constitution devolving state authority to that political subdivision.

Since the Kentucky RTW bombshell, the towns of Lincolnshire, Ill., and Seaford, Del., have passed their own local ordinances. Sandoval County is poised to do the same – the County Commission there is expected to vote on the measure Jan. 18.

The sponsors of the Sandoval ordinance, commissioners Jay Block and David Heil, feel RTW is desperately needed for their county to stay competitive. As Block writes on nmpolitics.net:

"New Mexico competes for jobs with our neighbors in Arizona, Texas, Utah and Oklahoma. More often than not, we lose. And what do our neighbors have that we don't? All of those states are right-to-work. They have the jobs and we are left behind."

The Kentucky counties were motivated by that kind of proximity to RTW states like Tennessee, Virginia and Indiana, knowing they were losing jobs and people to those areas. What happened when counties passed RTW themselves?

Warren County, Kentucky – the first to pass a local ordinance – was on the list for more site selection opportunities in the first year after its ordinance passed than the rest of the state combined. And no wonder – "Site Selection" magazine notably called RTW "The Box That Must Be Checked."

Block and Heil are certain that a RTW ordinance in Sandoval County will provide an economic shot in the heart of a state already competing at a disadvantage for high-paying jobs in manufacturing, tech and health care. As has been widely reported, Albuquerque is vying to become the new headquarters of Amazon.

But perhaps nearby RTW Sandoval County will prove more alluring to the tech giant and begin to attract those re-patriated billions themselves!

Latest News

2018

Pyeongchang

Putin says Russia hopes to turn page on doping at Olympics

Seoul: North Korea cancels pre-Olympic joint cultural event

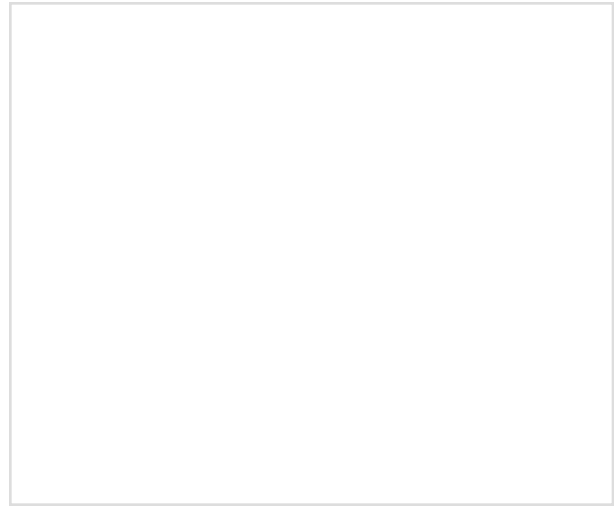
Russian speedskater refuses IOC invitation to Olympics

The question at the Olympic Oval: Dutch domination, again?

American twins will have some sisterly company at Olympics

••• MORE

HOME 



ADVERTISEMENT

Stay informed with ABQJournal.com

- Subscribe for only \$10
- Sign up for newsletters
- Enable notifications

Remind me later