Right-to-Work Frequently Asked Questions

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What is right-to-work?

Right-to-work simply means a private sector worker cannot be fired because they do not pay a union. It does not affect collective bargaining in any other way. Unions, workers and employers can still collectively bargain over wages, hours and working conditions. Anything that could be bargained over before a right-to-work law is implemented can be bargained over after a right-to-work law is in place. The only difference is that they are no longer able to make paying a union a condition of employment.

Who will be affected if New Hampshire passes right-to-work?

A right-to-work law will protect most private sector employees. Public employees, such as fire fighters, police officers and teachers will not be affected. Public employees already have these protections because of the 2018 U.S. Supreme Court ruling in Janus v. AFSCME. In Janus, the Supreme Court ruled that public employees have a First Amendment right to choose whether or not to pay union fees.

What impact does right-to-work have on income?

Incomes grow faster in right-to-work states than their non-right-to-work state counterparts. Personal incomes grew 56.4 percent in right-to-work states, compared to only 40.6 percent in non-right-to-work states from 2000 to 2019. In New Hampshire, incomes only grew 32.6 percent during this time. Wages have grown in the last several states that passed right-to-work: 7.4 percent in Indiana since 2012, 5.5 percent in Michigan since 2012, 6.0 percent in West Virginia since 2016, 4.4 percent in Wisconsin since 2015, and 2.0 percent in Kentucky since 2017 (all figures adjusted for inflation).[1]

Does right-to-work impact worker safety?

No, right-to-work does not have an impact on worker safety. Right-to-work simply takes away a union's ability to get a worker fired for not paying them. It does not affect worker protection laws, OSHA regulations or worker safety provisions in contracts. However, it should be noted that in all of the most recent right-to-work states, illness and injury rates decreased after the state passed worker freedom.

1 United States Bureau of Economic Analysis, Personal income growth https://www.bea.gov/data/incomesaving/personal-income-by-state

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What are free riders?

Free rider is a derogatory term used by right-to-work opponents to describe a worker in a right-to-work state who is under a union contract but does not see the value of paying fees to the union. What these opponents fail to mention is that this worker is forced to accept union representation whether the worker wants it or not. The worker should more appropriately be called a forced rider because they are forced to accept the union contract. Right-to-work does not change this scenario, but it does free the worker from having to pay for unwanted representation.

Unions organize employers to be the "exclusive representative" for the workers, giving unions a monopoly to represent all the employees, even those that do not want representation. They could choose to be a members only union and represent only those paying the union, but they would lose certain privileges afforded by law.

If opponents were serious about eliminating the free rider problem, they would fight to change the law so workers would not have to accept unwanted representation and unions would not have to provide services that are not wanted. Model legislation, called Worker's Choice, is available at https://www.mackinac.org/S2015-03 and could be enacted at a state level for public employees who enjoy right-to-work protections under the Janus v. AFSCME decision and at a federal level for private sector employees in right-to-work states.

Why should the government get involved in a private contract between two parties?

The government is actually stepping back when a right-to-work law is passed. Labor law is complex and affords unions privileges unlike almost any other institution in America. Unions can force employers to bargain with them, they can force workers to accept their representation and are even exempt from some laws.

Bargaining is not entirely a voluntary private action between two parties. If a union organizes employees, the employer must bargain with the union by government mandate and is forced to negotiate a contract with the union. The government is allowing a private third party to come between an employer and an employee. Right-to-work laws ease the burden of this government mandate by giving workers the option of whether or not to pay for representation.

What are the other benefits of right-to-work?

As noted in the companion "Right-to-Work by the Numbers" explainer, even though right-to-work is simply about taking away a private sector union's ability to get a worker fired for not paying them, there are many other benefits. Right-to-work states have higher income growth and lower unemployment.

Aside from all the economic benefits it creates, right-to-work is about freedom: The freedom of workers to choose to support a union or not.

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