

## Right-to-Work Passes in Wisconsin

Article By:

Scott C. Beightol

Thomas W. Scrivner

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Today, Governor Walker signed into law the "right-to-work" ("RTW") bill that the Wisconsin State Assembly had passed last Friday, [which was the same version that had been passed by the Senate on February 24th](#). The RTW law will be published by the Legislative Reference Bureau tomorrow and become effective Wednesday, March 11th. This means that, in two days, Wisconsin will become the 25th Right-to-Work State in the nation, following on the heels of Indiana (February 2012) and Michigan (December 2012).

There are many misconceptions about what "right-to-work" means. A lot of this misinformation may be being fueled by partisan sources, or by rumor or innuendo. What "right-to-work" actually means is that it will now be unlawful for employers and unions in Wisconsin to require, within a labor contract, that employees become or remain members of a union or pay dues to it as a condition of employment. The RTW law does not eliminate unions, curtail collective bargaining rights, force employees to work for less money, or make voluntary dues checkoff agreements illegal. The new RTW law simply gives employees the choice of either joining or quitting a union and choosing whether or not to pay union dues, even if the union already represents the other employees at the workplace. Unions will still have the duty of fair representation towards all employees, irrespective of which employees choose to pay dues and which ones do not.

It is also important to know that the RTW law will not automatically apply to current labor contracts, or to new hires covered by the current labor contract. The law will only apply to labor contracts once they have expired or been modified before the RTW law's effective date. Parties that choose to extend their contracts before the March 11th effective date of the RTW law, however, will be bound to honor any existing union security clause and/or dues checkoff provisions in the contract for its duration. Not surprisingly, some unions in Wisconsin have rushed to extend their labor agreements before the new RTW law's imminent effective date.

Unions in Wisconsin, particularly those who are parties to labor contracts that expire soon, will be seeking creative ways of lessening or avoiding the potential effects of the RTW law on their finances. There will be a rush of activity from unions and their members, and it may be difficult for employers to stay on-message and filter out erroneous information about the law. Employers are strongly encouraged to be well-informed and proactive in crafting and putting in place a communication plan to deal with pushback from the union and questions from their employees about their new RTW rights

as soon as possible.

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