

## Chris Hamilton: Labor returns to its old playbook



Labor leaders are rallying members to oppose legislation designed to give employees more workplace freedom. Labor's campaign against right-to-work legislation looks familiar.

Labor leaders have campaigned in the past to oppose legislation that would place West Virginia in a more competitive economic position. In 1995, for example, labor leaders and their plaintiffs' attorney allies fought hard against reform of the failing state-run workers' compensation system. They predicted dire consequences for injured workers. They threatened incumbent legislators who they deemed traitors.

Legislators faced labor's wrath in 1995, and with courage, passed the workers' compensation reforms. Those changes may have been helpful, but the state workers' compensation fund was beyond repair.

With the state workers' compensation fund on the brink of collapse in 2005 — the result of years of political, judicial and bureaucratic abuses too numerous to mention here — Gov. Joe Manchin and the Legislature accomplished what many never dreamed possible.

They privatized the state workers' compensation fund. Even some labor leaders quietly acknowledged the day of reckoning had arrived for workers' compensation.

Truth be told, state leaders had little choice in 2005. The system was bankrupt and dysfunctional. Injured workers found themselves caught in red tape. Their physical well-being and their financial futures were bleak. The workers' compensation fund's debt mounted.

Out-of-state employers had little interest in investing in a state that proved that it could not run an insurance program. Jobs were at stake, and West Virginia was losing.

Even with the state still paying down debt from that broken system, the 2005 privatization of workers' compensation has resulted in companies now paying competitive premiums. Injured West Virginia workers now receive better services and support.

In fact, BrickStreet Insurance — the carrier that sprang from the 2005 reforms — has expanded services to other states.

The unions' promise of doomsday never arrived.

Here we are again. Labor is drawing a line in the sand on the right-to-work issue, as they did a year ago when the Legislature worked to align our legal system with surrounding states to create legal fairness.

It works to convince its members that right to work will undermine the labor movement and necessarily lead to reduced wages. Its arguments are based more on emotion than economic principles and simple fairness.

Consider this: Labor leaders have a financial interest in representing “closed shops” — companies that require union membership as a condition of employment.

In other words, union leaders are protecting their turf and their revenue — the fruit of their members’ work. With their members providing abundant funds, unions have the freedom to make decisions that don’t necessarily benefit members.

Exhibit A: The United Mine Workers of America endorsed Barack Obama for president in 2008. The union, after seeing Obama marginalize coal, withheld a presidential endorsement in 2012. That provides little comfort today for unemployed West Virginia coal miners.

Unions can and do represent employees in right-to-work states, but those employees have the freedom to decide whether they want to join a union, just as teachers, nurses and other professions do here.

In a world where competition is keen and real, workers should have the right to determine whether they are satisfied with their union representation.

Would passage of a right-to-work law in West Virginia automatically lead to an immediate groundswell in investment and employment? No one can promise that.

But we can say with great certainty that West Virginia will find itself better able to compete for new investments, and in the case of existing employers, additional investments.

West Virginia can never realize its full potential by clinging to policies that have failed us in the past. Certain interest groups protect the status quo rather than remove barriers to employment and economic growth.

How many disastrous economic statistics should be tolerated? How many failed policies should we protect?

West Virginia voters elected legislators who want to lead this state toward prosperity. They understand that West Virginia’s dire economic conditions demand change.

Passage of a right-to-work law would gain national attention and give employers a new and more flattering view of a state that offers affordable energy and great proximity to eastern markets.

We no longer should fear change. Instead, we must summon the courage to embrace it.

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