

Wisconsin Becomes 25th Right-to-Work State

By Philip B. Rosen and Gregory H. Andrews

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The Wisconsin State Assembly has voted to make Wisconsin the 25th right-to-work state in the country.

The legislation, passed on March 6, 2015, and signed into law by Governor Scott Walker (R) on March 9, makes it illegal for a Wisconsin private-sector employer to enter into a collective bargaining agreement with a union under which an employee is required to join the union or pay union dues to it. The Wisconsin bill was modeled on recent right-to-work statutes in Indiana and Michigan, both of which have withstood significant legal challenges. (See our articles, [Indiana Adopts Right-to-Work Law](#) and [Michigan Adopts Right-to-Work Law](#).)

Unions typically decry right-to-work laws, citing the “free rider” problem faced by unions that have a duty of fair representation to all employees within the collective bargaining unit, regardless of whether an individual employee is a member of the union or pays dues to the union. Not only does right-to-work legislation make it harder for unions to collect dues, but it also is widely viewed as telling unions they will have to work harder to persuade employees that unionization is beneficial. Private-sector union membership remains mired at just under seven percent nationwide.

The Wisconsin law is effective upon the Governor’s signature, but will affect current collective bargaining agreements only as they come up for renewal.

Jackson Lewis attorneys are available to answer inquiries regarding the new law.

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