Members

Sen. Phil Boots, Chairperson
Sen. Greg Walker
Sen. Carlin Yoder
Sen. Karen Tallian
Sen. James Arnold
Rep. Jerry Torr
Rep. Sue Ellspermann
Rep. Kreg Battles
Rep. David Niezgodski

INTERIM STUDY COMMITTEE ON EMPLOYMENT ISSUES

Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Tel: (317) 233-0696 Fax: (317) 232-2554

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Peggy Piety, Attorney for the Committee
Robert Rudolph, Attorney for the Committee

Authority: P.L. 229-2011

MEETING MINUTES[1]

Meeting Date:	**October 26, 2011**
Meeting Time:	**9:00 A.M.**
Meeting Place:	**State House, 200 W. Washington St., Senate Chambers**
Meeting City:	**Indianapolis, Indiana**
Meeting Number:	**4**

Members Present: **Sen. Phil Boots, Chairperson; Sen. Greg Walker; Sen. Carlin Yoder; Sen. Karen Tallian; Sen. James Arnold; Rep. Jerry Torr; Rep. Sue Ellspermann; Rep. Kreg Battles; Rep. David Niezgodski.**

Members Absent: **None.**

Chairman Boots called the meeting to order at 9:15 a.m. and opened the meeting to Committee discussion of the final report. Committee members were given a draft copy of the final report (See Appendix A) and several letters submitted to the Committee on the Right-to-Work (RTW) issue (See Appendix B).

Rep. Ellspermann passed out a fact sheet from the National Institute for Labor Relations Research (NILRR) comparing Indiana to Midwestern RTW and non-RTW states (See Appendix C) on issues such as population growth and per capita income adjusted for the cost of living. According to the fact sheet, Indiana lags behind Midwestern RTW states in each area. She also presented data from the Kaiser Foundation comparing the growth or decline in union membership in Midwestern states between 2006 to 2010 (See Appendix D). She stated that she had heard concern about the effect RTW would have on union membership and did some research on the subject. Rep. Ellspermann stated that union membership showed a larger decline in non-RTW states than in RTW states, and some RTW states showed an increase in membership during the period.

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[1] These minutes, exhibits, and other materials referenced in the minutes can be viewed electronically at http://www.in.gov/legislative Hard copies can be obtained in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for hard copies may be mailed to the Legislative Information Center, Legislative Services Agency, West Washington Street, Indianapolis, IN 46204-2789. A fee of $0.15 per page and mailing costs will be charged for hard copies.

Rep. Niezgodski expressed skepticism about the data from the NILRR, since it references non-RTW states as "forced-unionism states," showing a bias in support of RTW. Rep. Ellspermann agreed that the choice of words was not the best, but defended the data. It comes from verifiable sources from the U.S. Department of Labor and Bureau of Labor Statistics.

Sen. Tallian commented on the Findings and Recommendations section of the report. She argued that the first finding is inaccurate. RTW does not guarantee freedom of speech or assembly. She also posed objections to findings two through four, arguing that no verifiable evidence was presented proving that RTW increases jobs. She stated that there was anecdotal evidence only. In addition, she stated that the testimony often conflicted, and no statistics showed a causal relationship between RTW and job creation.

Sen. Tallian made a motion to delete the entire Findings and Recommendations section. The motion was seconded by Rep. Niezgodski, and the vote failed 4-5.

Sen. Tallian then pointed out that testimony indicated that RTW lowers costs for businesses. She then moved to amend the Committee's findings to include a statement indicating that RTW lowers wages for union and some non-union employees. The motion was seconded by Rep. Niezgodski.

Rep. Torr objected to that change, arguing that there was no testimony or evidence that RTW lowers wages. There was testimony that spoke to higher costs to businesses due to union work rules that limit flexibility and efficiency. Sen. Tallian responded that she was willing to change the motion to say that RTW either lowers wages or employment. Rep. Niezgodski withdrew his second from the previous motion, and seconded this motion.

Rep. Niezgodski argued that Dr. Vetter, an academic researcher who testified, did not include wages as part of his study. He added that no evidence was presented to show that RTW would not lower wages.

Chairman Boots commented that testimony pointed to lower costs, but not lower wages. He pointed out that Jay Pittas from Remy International testified that the economy dictates the level of wages and benefits for employees, not RTW status. Wage levels under existing contracts will continue to be valid going forward. Rep. Ellspermann added that wages vary by industry and also because of the economy. She argued that RTW would bring the state increased opportunities in high-income industries such as aeronautics, auto manufacturing, medical devices, and the life sciences.

The vote on the motion to amend the Findings and Recommendations section to include the statement that RTW either lowers wages or employment failed on a 4-5 vote.

Rep. Torr than moved that the report be adopted without amendment, and the motion was seconded.

Sen. Tallian argued that individuals on the side of changing the law have the burden of proof to demonstrate that there is a problem and that the new law would remedy the problem. At best, the evidence for and against RTW is contradictory. Wages are lower in RTW states. She reminded the Committee of testimony offered indicating that people in RTW states earn lower wages and benefits for doing the same jobs. She argued that RTW is a radical proposition, a big stick to bust unions, that it did not work for Indiana 50 years ago, and won't work now. She believes that it is not right to marginalize the opposition and silence the minority.

Senator Arnold stated that the Committee heard conflicting testimony on the RTW issue. No one said that RTW would not prevent Indiana jobs from continuing to move overseas. He

indicated that Indiana has been doing a good job, and there is no reason to change a good thing.

Rep. Torr pointed out that people in RTW states have greater spending power than those in non-RTW states. He does not want to get rid of unions. He believes that passing RTW legislation would make unions more responsive to their members.

Rep. Ellspermann argued that RTW is not radical. It has been adopted by 22 states. Indiana currently has 9% unemployment and needs jobs. She stated that wages have little to do with unions. In her personal experience working in both RTW and non-RTW states, wages were highest in a non-union shop in a RTW state. Economic development professionals from northeastern Indiana who came to testify begged to be a test case for RTW because they need these jobs.

Rep. Battles stated that he does not believe it is a good reason to adopt RTW just because everyone else is doing it. He stated that the committee heard conflicting testimony and flawed research. He also rejects the argument about brain drain. Despite the economy, Indiana remains an attractive place to be. More college students come to Indiana than leave it. He compared hoping for new life-science and aeronautics jobs to grabbing onto a life preserver. There is no guarantee that Indiana will get any of these jobs, but the state may get other jobs with wages too low to support a family.

Rep. Niezgodski argued that the committee has been majority-weighted from the beginning. He was glad to see that the majority believes that project labor agreements have some purpose, but believes they are wrong in their stance that RTW would bring jobs to Indiana. He believes that RTW would lead Indiana on a path of economic decline.

Chairman Boots pointed out that the Committee has not put forward any legislation, but rather has recommended that the full General Assembly look at RTW legislation. He believes RTW would help Indiana become a more attractive place to do business. Indiana needs to stay a step ahead. He argued that in business, if you are not competitive, you will not survive.

The final report was adopted without amendment by a 5-4 vote.

Sen. Tallian noted that they will be requesting a Committee minority report.

Chairman Boots indicated that approval of the final report concluded the responsibilities of the Committee. He thanked the Committee members and those who testified for their time, interest, and work on these issues.

The meeting was adjourned at 10:00 a.m.

FINAL REPORT

Interim Study Committee on Employment Issues

I. STATUTORY AND LEGISLATIVE COUNCIL DIRECTIVES

The Indiana General Assembly enacted legislation (IC 2-5-34) directing the Interim Study Committee on Employment Issues to study and make recommendations to the Legislative Council concerning the following:

> (1) Laws related to the issue of whether or not an employee should be required to join an employee organization as a condition of employment.
> (2) Project labor agreements.

The Committee consists of nine members: four members of the Senate, four members of the House of Representatives, and one member of the General Assembly who is appointed by the chairman of the Legislative Council and who serves as the chairman of the Committee.

II. INTRODUCTION AND REASONS FOR STUDY

Current Indiana law requires the Committee to study laws related to the following: (1) whether or not an employee should be required to join an employee organization as a condition of employment and (2) project labor agreements during 2011 and make recommendations to the Legislative Council. (IC 2-5-34)

III. SUMMARY OF WORK PROGRAM

The Committee met four times during the 2011 interim. All meetings were held in the Statehouse in Indianapolis. At the first meeting, held July 26, 2011, the Committee took testimony and discussed the right-to-work (RTW) issue. At the second meeting, held September 7, 2011, the Committee took testimony and discussed project labor agreements (PLAs). The third meeting, held October 6, 2011, covered both topics and was open for public comment. At the fourth meeting, held October 26, 2011, the Committee discussed findings and recommendations and approval of the final report.

IV. SUMMARY OF TESTIMONY

A more detailed summary of the testimony can be found in the meeting minutes.

Appendix A
Interim Study Committee on Employment Issues
Meeting #4 October 26, 2011

Testimony Supporting RTW

- Based on the principles of freedom of speech and association, individuals should be able to choose whether or not to associate with unions. Unions argue that they are forced to bargain for all employees, not only for union members, but there is nothing in law that forces them to do that. Unions want to keep their privileges. The assumption is made that it's fair for everyone to be forced to pay dues because everyone benefits from the union, but sometimes it is not the case that everyone benefits.

- Certain businesses will not locate in non-RTW states. Based on the experience of professionals working for site selection companies, 50-75% of manufacturing companies express a preference for locating in RTW states, and 25-50% of industrial clients exclude non-RTW states from consideration. Companies also look closely at labor issues, unionization rates, and economic incentives. For industrial projects, labor and other issues trump quality-of-life issues. Manufacturing companies express preferences for RTW in order to have more flexibility and lower hiring costs. RTW is identified in the initial screening with the employers. This determination is done before further exploration is done. Non-RTW states will not even know that they have been screened out.

- Based on research presented, RTW states have a higher quality of life, population growth, higher wages when adjusted for cost of living, and economic growth than non-RTW states. RTW states have a comparative advantage. In the long run, RTW lowers the cost of doing business and makes labor costs more affordable. RTW makes businesses more stable without concern for strikes or other labor difficulties.

- Comparing data from Indiana to Midwestern RTW states, Indiana has comparatively lower wages and decreasing private sector employment compared with increasing employment in RTW states. In addition, there has been a decrease in the size of the labor force in Indiana, and out migration of adults ages 25-34.

- In a survey of Indiana small business owners belonging to the National Federation of Independent Businesses, 90% supported RTW. Small business owners testified that RTW gives employers more flexibility, would help economic growth, and would help Indiana become more competitive. They also support freedom of choice and mentioned that RTW would help keep their customers in Indiana.

- Economic development professionals from Northeast Indiana testified that RTW will help them be more competitive and will help to bring jobs to their area. Site selectors they work with have repeatedly told them that some

companies do not consider Indiana due to the RTW issue. Indiana workers should be able to compete on their merits and not be disqualified from competition because of the RTW issue.

- Testimony by RTW advocates pointed out that RTW does not prevent workers from joining a union. It simply guarantees that an employee can't be forced to pay dues in order to work in a union-represented business. When individual workers decide whether they want to be members of a union, the union movement becomes more accountable to workers. When unions are more accountable to individual workers, the state becomes more attractive to employers. In non-RTW states, unions know dues money is going to flow either way, whether or not people are well represented. RTW laws make unions more responsive to their members.

- A business owner with employees in both RTW and non-RTW states indicated that employee benefits and wages were tied to the cost of living and the economic realities of the localities they were in, rather than on whether or not they were located in a RTW state.

Testimony Opposing RTW

- A RTW opponent indicated that economic development comes from growth to existing businesses, entrepreneurial job creation, and companies relocating. RTW would only impact relocation. Companies use a sophisticated process to decide where to locate. Ultimately, the decision is based on the bottom line.

- Based on research presented, workers in RTW states earn less than in non-RTW states when adjusted for a variety of factors. RTW also decreases the odds of getting health insurance or a pension through an employer for both union and nonunion employees. RTW does not have any impact on job growth.

- RTW would make it more difficult for unions to raise money and retain members. Data is insufficient to determine the economic effect of RTW.

- Fatality rates in the construction industry are higher in RTW states than in non-RTW states. This may be the result of greater union resources and training in non-RTW states.

- Presented research indicated that RTW laws result in lower wages and benefits. RTW laws may be successful in bringing employers to the state, but those employers seeking lower wages will move abroad. Employers can only save on labor costs through productivity with an experienced, skilled workforce. Direct comparisons between growth rates in RTW and

non-RTW states can be misleading, because RTW states started from a lower base. Based on research presented, there is no evidence of wage increases over the long run due to RTW.

- In the U.S., if the majority of workers want to be represented by a union, an election is held, and the union is certified to represent those workers. The union is required to represent all employees, even those who do not want union representation. Under the law, people cannot be compelled to become union members. Nonunion employees pay dues to cover their portion of union representation, and not for political purposes. If RTW passed, some people may stop paying dues. The union would still have to represent everyone, but their ability to do that would be diminished.

- Union members expressed concern that RTW would lower wages and benefits, bringing only low-wage jobs to Indiana, and threaten union viability due to freeloaders using the benefits of the union but not being willing to pay for them.

- Indiana tried RTW for eight years, and then rejected it. It didn't increase growth over that time.

Additional RTW Testimony

- Representatives from the construction industry argued that the industry should be exempted from any RTW law that passes. Due to the nature of the industry, it is already treated differently than other industries in national labor law. Another representative from the construction industry asked not to be exempted from RTW, arguing that lawmakers should take a policy position that would increase employment in Indiana.

Testimony Supportive of Banning PLAs on Public Projects

- Markets should be free and fair, and PLAs act as a barrier to free markets.

- Based on recent study of school construction costs in California, PLA projects cost 13% to 15% more to complete than non-PLA projects.

- PLAs do not prevent agreement violations from being made. In addition, PLAs shut out nonunion contractors from successfully bidding on projects. In order to participate in PLA projects, nonunion workers are required to pay union dues and benefits and go through union hiring halls.

- Under government-mandated PLAs, contractors have to sign a contract with a union to be able to work on a project. It becomes difficult and expensive for nonunion contractors to compete for a project when they have to pay dues and benefit costs to the union, despite not receiving union benefits. PLAs require contractors to recognize a union as the sole representative of their workers. In addition, almost all PLAs require hiring through union hiring halls, which reduces competition. The result of government-mandated PLAs are higher costs to taxpayers and unfair political favoritism. Banning PLAs does not prevent local governments from entering into good contracts to ensure contractor accountability or discourage local hiring.

- PLAs disadvantage nonunion contractors because they are required to pay union dues, benefits, pensions, and health care that they did not negotiate and that their employees may not benefit from. Indiana has a prevailing wage law as well, so PLAs are redundant on several counts. PLAs do not lower costs or provide a greater degree of worker safety during construction.

Testimony Opposed to Banning PLAs on Public Projects

- Representatives of local governments argued that locals should be able to decide when to use PLAs on public projects, depending on local needs. Through PLAs they are able to employ local workers for local construction projects.

- PLAs can create value for the owners and the public. The use of PLAs should be evaluated on a project-by-project basis. For a large, complex project like Lucas Oil Stadium with many different workers, a PLA may be a good idea.

- PLAs are important to Indiana because of cost savings, guaranteed manpower, and ability to use local workers. PLAs benefit taxpayers by making sure the labor force is skilled, qualified, and well-trained.

- PLAs were initially used in highly unionized areas as tools to get concessions from unions on work rules and staffing requirements. Some PLAs still use this old form; however, on projects such as J.W. Marriot and Lucas Oil, owners and unions negotiated work rules and staffing requirements. Nonunion contractors, small businesses, and minority- and women-owned business were able to work the project. In addition, in many PLAs there is a threshold above which subcontractors have to pay the common wage, but for jobs below the threshold those requirements do not apply.

- Based on the experience of the Public Works Department in Los Angeles, PLA projects did not cost more than non-PLA projects. In addition, through PLAs, they were able to develop apprenticeship opportunities for under-represented populations and focus on using the local work force.

V. COMMITTEE FINDINGS AND RECOMMENDATIONS

The Committee made the following findings of fact:

(1) Based on the principles of freedom of speech and association, individuals should be able to choose whether or not to associate with unions. RTW would guarantee the rights of freedom of speech and association.

(2) The Committee has studied the RTW issue and finds that RTW would be an important competitive tool for the Indiana Economic Development Corporation (IEDC) and local economic development organizations to attract new jobs to Indiana and to retain existing jobs.

(3) During the site-selection process, businesses often show a preference for RTW states, and exclude Indiana and other non-RTW states from consideration because of a perceived lack of flexibility and higher costs in their potential dealings with organized labor.

(4) Due to the lack of a RTW law, Indiana is often not considered by companies looking to expand. As a result, the state does not receive the opportunity it deserves to market the attractive business climate that the state government has worked to create over the years.

(5) Becoming a RTW state would likely bring more jobs to Indiana by making the state even more attractive to relocating and expanding companies.

The Committee made the following recommendations:

(1) The Committee recommends that the legislature consider RTW legislation.

(2) The Committee makes no recommendations concerning PLAs.

WITNESS LIST

Mark Anderson, United Auto Workers (UAW) 5 S.B.
Dan Arnett, United Steelworkers (USW) 4863
Dr. Dale Baleman, Professor, School of Labor and Industrial Relations, University of Michigan
Della Bell, Hyatt employee
Matt Bell, Regional Chamber of Northeast Indiana
Rob Beiswenger, President, Indiana Right to Work Committee
Andrew Berger, Association of Indiana Counties
Matt Boyd, small business owner, NFIB
Martha Bracken, Associated Builders and Contractors
Diana Brenner, President of Brenner Design Incorporated
W. Erik Bruvold, founding President of the National University System Institute for Policy Research
Bryon Capper, Communications Workers of America
Brendan Clancy, owner of Clancy's Irish Pub
Mike Compton, Mishawaka City Council, 5th District
Andy Conlin, Senior Manager, State and Local Affairs, National Associated Builders and Contractors
Kevin Cope, International Brotherhood of Electrical Workers Local 855
Robert C. Cramp, UAW CAP Council, Steuben and LaGrange Counties
Katie Culp, Senior Vice President, Cassidy Turley, Real Estate Services
Jeffrey Dailey, UAW
Fred Davis, retired member UAW
Rob Deppert, small business owner, insurance agent
Susan Fuldauer, President of Central Labor Council
J.R. Gaylor, President and CEO, Associated Builders and Contractors of Indiana
Dr. Dale Glaser, principal of Glaser Consulting, statistical consultant and Adjunct Professor of Statistics at the University of San Diego
Miriam Gonzalez, Hyatt employee
Stan Greer, National Institute for Labor Relations Research, associated with the National RTW Committee
Nancy Guyott, President, Indiana State AFL-CIO
Becky Hanawalt, USW
Michelle Ison, union member working in an open shop in Batesville
Dale Johnsen, Indiana State Building Trades
Charlie Kahl, President of the Building and Highway Division, Indiana Construction Association
Cliff Kerce, Carpenters Industrial Council local 2133
Mike Kerr, principle owner of Wilhelm Construction
Paul Kersey, Director of Labor Policy, Mackinac Center for Public Policy
Bill Kohnya, Wabash County Economic Development Group
Kevin Korenthal, Executive Director, Associated Builders and Contractors, California Cooperation Committee

Professor Gordon Lafer, University of Oregon
Barry Macey, Attorney, Macey, Swanson, and Allman
Tom McKenna
Christie Menyard, Hoosier Grocery Workers
Harry Milly, commercial flooring contractor
Bill Mott, Vice President, Corporate Labor Relations and Safety, Hunt Construction Group
Greg Mourad, Director of Legislation, National Right to Work Committee
Mike Mullis, J.M. Mullis, Inc., Memphis, Tennessee
John Neighbours, Baker and Daniels, Council for the Indiana Construction Association
Dan Nicholson, Indiana Meat Cutters
James Palmore, International Union of Painters and Allied Trades
Jay Pittas, Remy Intl.
Ron Port, CEO of Home Health
Barbara Quandt, National Federation of Independent Business
John Raine, small business owner, Raine Inc.
George Raymond, Indiana Chamber of Commerce
John Reamer, Inspector of Public Works, Los Angeles, California
Peter Rimsans, Executive Director, Indiana State Building and Construction Trades Council
Ed Roberts, Manufacturers Association
Jim Robinson, USW
Rosa Rodriguez, steel worker, representative of USW
Mitch Roob, CEO, Indiana Economic Development Corporation
Mike Row, Wells County Chamber of Commerce and Economic Development
John Sampson, Northeast Indiana Regional Partnership
Gerry Scheub, Lake County Commissioner
Bruce Schweizer, UAW local #5
Brian Snedecor, Mayor of Hobart, Indiana
Mike Snyder, USW
Ty Spatta, small business owner, Axis Enterprise
Mark Sweeney, McCallum Sweeney Consulting, South Carolina
Dan Thystrup, small business owner, Adventure Glass
Alan Tio, Whitley County Economic Development Corporation
Donald B. Tribby, USW
Cindy Trimpe, C&C Sheet Metal LLC
Franklin Troyer
Jim Tsareff, Vice President, Construction Operations, ERMCO Electric
Dr. Richard Vedder, professor of Economics at Ohio University
Olga Velazquez, Mayor of Portage, Indiana
Rick Vitatoe, Glass, Molders, Pottery International Union
Rick Ward, UAW
Jonathan Weinzapfel, Mayor of Evansville, Indiana
Stephanie White, Hoosier Grocery Workers
Janie Witters, Health at Home

Marty Wolfson, Director of Higgins Labor Studies Program, University of Notre Dame
Roland Zullo, University of Michigan

draft

Site Selection Group
Strategic Location Solutions

October 14, 2011

Senator Phil Boots, Chairman
Interim Study Committee on Employment
Indiana Statehouse
200 W. Washington Street
Indianapolis, IN 46204

Honorable Senator Boots:

It has come to my attention that you are considering the issue of Right to Work in the State of Indiana as a means to enhance your State's competitiveness for private business investment in productive, job-generating operations. After more than 30 years of site selection experience, I know how controversial such an effort can be. Equally, I have seen the benefits that Right to Work can bring.

Right to Work is no cure all. Nor does it absolve you of the responsibility to remain diligent in the continual improvement of your overall business climate and the aggressive promotion of growth opportunities for good business in Indiana.

Right to Work does remove one constant impediment that we site selectors confront as we seek homes for new and expanding business investments: especially in the field of manufacturing. I have managed literally a thousand projects in my time as a corporate location consultant and Right to Work has occupied an increasingly prominent role as we have come to the present day. I can tell you from professional experience that Indiana has missed multiple project opportunities that represented thousands of high-paying jobs and billions of dollars in capital investments, because my clients specified "Right to Work States" only. I am by no means the Lone Ranger here.

I would be happy to expand on these observations if you desire. I wish you good luck in your proceedings and the best for the Great State of Indiana.

Sincerely,

David V. Brandon
Senior Vice President
Site Selection Group LLC
Suite 700
8300 Douglas Avenue
Dallas, Texas 75225

Appendix B
Interim Study Committee on Employment Issues
Meeting #4 October 26, 2011

Do it Best Corp.

Products
Services
Solutions

P.O. Box 868
Fort Wayne, IN
46801-0868
Ph: 260-748-5300
Fax: 260-493-1245
mail@doitbest.com

October 5, 2011

Interim Committee on Employment Issues
200 W. Washington St.
Indianapolis IN, 46204

Chairman Boots & Members of the Committee:

On behalf of Do it Best Corp., and also in my role as the current Chairman of the Northeast Indiana Regional Partnership, I write in strong support of Indiana becoming a Right-to-Work state.

Do it Best Corp. is located in Fort Wayne , Indiana and employs close to 450 Hoosiers in our region. We are one of the largest privately-held employers in the state and have long supported efforts to grow economic activity in our region and throughout Indiana. Our investments and those of others have been significant, so it is most disappointing then to see so many companies eliminate our state from consideration in their expansion plans because we lack Right-to-Work status.

We support legislation that recognizes the constitutional principle of freedom of association, which also includes the freedom not to associate. It is not fair to assume that union interests and worker interests are always in alignment. In compulsory union states, like Indiana, a worker cannot be denied employment if he or she expresses intent or joins a labor union, but that same worker can be fired for refusal to join a labor organization. Not only is this wrong, but it deals a major blow to Indiana's economy. Northeast Indiana is competing across the globe to bring job opportunities to our communities, but we know that compulsory union states are not considered in 33-50% of cases involving relocation or new expansion.

We know Right to Work is not a cure-all, but given the call of the General Assembly to create a business friendly tax & regulatory environment we cannot continue to eliminate ourselves from opportunity based on our adherence to compulsory unionism. We believe the State of Indiana should be a Right to Work State. If it is not yet ready or willing, we support a Northeast Indiana Right-to-Work region, so that we can maximize our opportunities for economic development.

I thank you for studying this important issue and urge you and your colleagues to support passage of Right to Work legislation.

Sincerely,

Bob Taylor
President & CEO

2210 SUMMIT STREET
POST OFFICE BOX 387
NEW HAVEN, INDIANA 46774

260 469-3136 ph
800 843-7657 ph
260 469-8192 fax

Ready for Hard Work.

October 5, 2011

Interim Committee on Employment Issues
200 W. Washington St.
Indianapolis IN, 46204

Chairman Boots & Members of the Committee:

On behalf of Berne Apparel Company, I write in strong support of Indiana becoming a Right-to-Work state. This legislation restores a balance to labor-management relations, and assures personal freedoms for employees.

Berne Apparel Company is located in Ossian, Indiana and employs 40 full-time and seasonally 100 Hoosiers in our region. We support legislation that recognizes the constitutional principle of freedom of association, that principle includes the freedom not to associate.

In compulsory union states, like Indiana, a worker cannot be denied employment if her or she expresses intent or joins a labor union, but that same worker can be fired for refusal to join a labor organization. Not only is this wrong, but it deals a major blow to Indiana's economy. Northeast Indiana is competing across the globe to bring job opportunities to our communities, but we know that compulsory union states are not considered in 33-50% of cases involving relocation or new expansion.

We know Right to Work is not a cure-all, given the call of the General Assembly to create a business friendly tax & regulatory environment we cannot continue to eliminate ourselves from opportunity based on our adherence to compulsory unionism.

We believe the State of Indiana should be a Right to Work State. If it is not ready or willing to be we support a Northeast Indiana Right-to-Work region, so that we can maximize our opportunities for economic development.

It's important to find balance between the legitimate interests of business and the legitimate protection of workers' rights. I thank you for studying this important issue and urge you and your colleagues to support passage of Right to Work legislation.

Sincerely,

Richard E. Honig
CFO

THEBERNEWAY.COM
BERNEAPPAREL.COM

Alexin LLC

Interim Committee on Employment Issues
200 W. Washington St.
Indianapolis IN, 46204

October 5, 2011

Chairman Boots & Members of the Committee:

On behalf of Alexin LLC, I write in strong support of Indiana becoming a Right-to-Work state. This legislation restores a balance to labor-management relations, and assures personal freedoms for employees.

Alexin LLC is located in Bluffton, Indiana and employs 68 Indiana residents. We support legislation that recognizes the constitutional principle of freedom of association, that principle includes the freedom not to associate.

In compulsory union states, like Indiana, a worker cannot be denied employment if her or she expresses intent or joins a labor union, but that same worker can be fired for refusal to join a labor organization. Not only is this wrong, but it deals a major blow to Indiana's economy. Northeast Indiana is competing across the globe to bring job opportunities to our communities, but we know that compulsory union states are not considered in 33-50% of cases involving relocation or new expansion.

We know Right to Work is not a cure-all, given the call of the General Assembly to create a business friendly tax & regulatory environment we cannot continue to eliminate ourselves from opportunity based on our adherence to compulsory unionism.

We believe the State of Indiana should be a Right to Work State. If it is not ready or willing to be we support a Northeast Indiana Right-to-Work region, so that we can maximize our opportunities for economic development.

It's important to find balance between the legitimate interests of business and the legitimate protection of workers' rights. I thank you for studying this important issue and urge you and your colleagues to support passage of Right to Work legislation.

Sincerely,

William Todd Johnson

William Todd Johnson
VP Technical Services (Owner)

Alexin, LLC
1390 South Adams Street
Bluffton, IN 46714
260-353-3100
www.AlexinLLC.com

BUCKHORN™
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www.buckhorninc.com

Interim Committee on Employment Issues
200 W. Washington St.
Indianapolis IN, 46204

October 5, 2011

Chairman Boots & Members of the Committee:

On behalf of Buckhorn, Inc., I write in strong support of Indiana becoming a Right-to-Work state. This legislation restores a balance to labor-management relations, and assures personal freedoms for employees.

Buckhorn is located in Bluffton, Indiana and employs 163 Hoosiers in our region. We support legislation that recognizes the constitutional principle of freedom of association, that principle includes the freedom not to associate.

In compulsory union states, like Indiana, a worker cannot be denied employment if her or she expresses intent or joins a labor union, but that same worker can be fired for refusal to join a labor organization. Not only is this wrong, but it deals a major blow to Indiana's economy. Northeast Indiana is competing across the globe to bring job opportunities to our communities, but we know that compulsory union states are not considered in 33-50% of cases involving relocation or new expansion.

We know Right to Work is not a cure-all, given the call of the General Assembly to create a business friendly tax & regulatory environment we cannot continue to eliminate ourselves from opportunity based on our adherence to compulsory unionism.

We believe the State of Indiana should be a Right to Work State. If it is not ready or willing to be we support a Northeast Indiana Right-to-Work region, so that we can maximize our opportunities for economic development.

It's important to find balance between the legitimate interests of business and the legitimate protection of workers' rights. I thank you for studying this important issue and urge you and your colleagues to support passage of Right to Work legislation.

Sincerely,

Richard W Singer

Richard Singer, Plant Manager
Buckhorn, Inc.

BUSKIRK ENGINEERING
Biomass Densification Systems

Interim Committee on Employment Issues
200 W. Washington St.
Indianapolis IN, 46204

Date

Chairman Boots & Members of the Committee:
On behalf of Buskirk Engineerng, I write in strong support of Indiana becoming a Right-to-Work state. This legislation restores a balance to labor-management relations, and assures personal freedoms for employees.
Buskirk Engineering is located in Ossian, Indiana and employs 6 Hoosiers in our region. We support legislation that recognizes the constitutional principle of freedom of association, that principle includes the freedom not to associate.
In compulsory union states, like Indiana, a worker cannot be denied employment if her or she expresses intent or joins a labor union, but that same worker can be fired for refusal to join a labor organization. Not only is this wrong, but it deals a major blow to Indiana's economy. Northeast Indiana is competing across the globe to bring job opportunities to our communities, but we know that compulsory union states are not considered in 33-50% of cases involving relocation or new expansion.
We know Right to Work is not a cure-all, given the call of the General Assembly to create a business friendly tax & regulatory environment we cannot continue to eliminate ourselves from opportunity based on our adherence to compulsory unionism.
We believe the State of Indiana should be a Right to Work State. If it is not ready or willing to be we support a Northeast Indiana Right-to-Work region, so that we can maximize our opportunities for economic development.
It's important to find balance between the legitimate interests of business and the legitimate protection of workers' rights. I thank you for studying this important issue and urge you and your colleagues to support passage of Right to Work legislation.

Sincerely,

John Buskirk

John Buskirk
CEO
Buskirk Engineering Inc.

7224 EAST 900 NORTH OSSIAN INDIANA 46777
TELEPHONE (260) 622-5550, E-MAIL john@buskirkeng.com WEB www.buskirkeng.com

ROEMBKE
MFG. & DESIGN, INC.
1580 Baker Drive
Ossian, IN 46777
T: 260-622-4135
F: 260-622-6967
www.roembke.com

Interim Committee on Employment Issues
200 W. Washington St.
Indianapolis IN, 46204

10-5-2011

Chairman Boots & Members of the Committee:

On behalf of Roembke Mfg & Design, Inc., I write in strong support of Indiana becoming a Right-to-Work state. This legislation restores a balance to labor-management relations, and assures personal freedoms for employees.

Roembke Mfg & Design, Inc. is located in Ossian, Indiana and employs 48 of Hoosiers in our region. We support legislation that recognizes the constitutional principle of freedom of association, that principle includes the freedom not to associate.

In compulsory union states, like Indiana, a worker cannot be denied employment if her or she expresses intent or joins a labor union, but that same worker can be fired for refusal to join a labor organization. Not only is this wrong, but it deals a major blow to Indiana's economy. Northeast Indiana is competing across the globe to bring job opportunities to our communities, but we know that compulsory union states are not considered in 33-50% of cases involving relocation or new expansion.

We know Right to Work is not a cure-all, given the call of the General Assembly to create a business friendly tax & regulatory environment we cannot continue to eliminate ourselves from opportunity based on our adherence to compulsory unionism.

We believe the State of Indiana should be a Right to Work State. If it is not ready or willing to be we support a Northeast Indiana Right-to-Work region, so that we can maximize our opportunities for economic development.

It's important to find balance between the legitimate interests of business and the legitimate protection of workers' rights. I thank you for studying this important issue and urge you and your colleagues to support passage of Right to Work legislation.

Sincerely,

Greg Roembke – President
Roembke Mfg & Design, Inc.

10/26/11

FACT SHEET

National Institute for Labor Relations Research

5211 Port Royal Road, Suite 510 • Springfield, VA 22151 • Phone: (703) 321-9606 • Fax: (703) 321-7342 • research@nilrr.org • www.nilrr.org

Right to Work States Benefit From Faster Growth, Higher Real Purchasing Power

October 2011

Percentage Growth in Non-Farm Private-Sector Employees (2000-2010)	Midwestern Right to Work States	+0.3%
	Midwestern Forced-Unionism States ...	-9.0%
	Indiana	-9.3%
	Source: U.S. Department of Labor, Bureau of Labor Statistics (BLS)	
Growth in Real Manufacturing GDP in Chained 2005 Dollars (2000-2009)	Midwestern Right to Work States	+4.5%
	Midwestern Forced-Unionism States ...	-12.0%
	Indiana	+0.2%
	U.S. Department of Commerce, Census Bureau (BOC)	
Cost of Living-Adjusted Disposable Per Capita Income (2010)	Midwestern Right to Work States	$38,420
	Midwestern Forced-Unionism States ...	$36,010
	Indiana	$32,989
	BOC; U.S. Department of Commerce, Bureau of Economic Analysis (BEA); Missouri Economic Research and Information Center (MERIC)	
Growth in Civilian Labor Force, July 1999-July 2011	Midwestern Right to Work States	+6.1%
	Midwestern Forced-Unionism States ...	+0.9%
	Indiana	-0.7%
	BLS	
Percentage Growth in Real Private-Sector Employee Compensation (2000-2010)	Midwestern Right to Work States	+11.5%
	Midwestern Forced-Unionism States ...	-5.3%
	Indiana	-4.0%
	BEA; BLS	
Growth in Population Aged 25-34 (1999-2009)	Midwestern Right to Work States	+8.1%
	Midwestern Forced-Unionism States ...	+0.5%
	Indiana	+1.8%
	BOC	

Appendix C
Interim Study Committee on Employment Issues
Meeting #4 October 26, 2011

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The National Institute for Labor Relations Research is an organization whose primary function is to act as a research facility for the general public, scholars and students. It provides the supplementary analysis and research necessary to expose the inequities of compulsory unionism. The Institute is classified by the Internal Revenue Service as a Section 501(c)(3) educational and research organization. Contributions and grants are tax deductible under Section 170 of the Code and are welcome from individuals, foundations, and corporations.

The Institute will, upon request, provide documentation to substantiate tax-deductibility of a contribution or grant. Nothing here is to be construed as an attempt to aid or hinder the passage of any bill before Congress or a state legislature.

10/26/11

Effect on Union Membership RTW and Non RTW

	2006	2010	Change
ND	8.00	9.10	1.10
SD	7.20	6.60	-0.60
NE	9.50	11.80	2.30
KS	9.30	9.10	-0.20
IA	14.00	13.80	-0.20
Avg	**9.60**	**10.08**	**0.48**

	2006	2010	Change
IN	13	12.2	-0.80
OH	15.5	14.7	-0.80
MI	20.4	17.4	-3.00
KY	11.2	10.1	-1.10
IL	17.2	16.4	-0.80
WI	16.1	15.1	-1.00
Avg	**15.57**	**14.32**	**-1.25**

http://www.statehealthfacts.org/comparemaptable.jsp?yr=138&typ=2&ind=20&cat=1&sub=5
Kaiser Foundation

Appendix D
Interim Study Committee on Employment Issues
Meeting #4 October 26, 2011