

County Right-to-Work Laws In Kentucky Struck Down By Federal District Court

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As previously reported on the blog, last year several counties in Kentucky passed Right-to-Work ordinances that prohibited companies and unions within their borders from requiring union dues as a condition of employment. We also noted that the laws were being challenged in Kentucky federal court by the UAW and several other unions. The unions, who were supported by the NLRB, argued that the Section 14(b) NLRA preempts “counties” from enacting Right-to-Work laws, as Section 14(b) only permits “states” or “territories” to issue such legislation. On Feb. 3, a federal district court agreed with the unions and the NLRB and invalidated the counties’ Right-to-Work ordinances on the basis that Section 14(b) does not authorize “counties” to enact Right-to-Work laws. It is possible that this case will be appealed to a federal court of appeals, so stay tuned to the blog for further developments.

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