

Operating Engineers Local 150 Lay Out Their Legal Arguments Against The RTW Law In Court

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As we have previously addressed (both [here](#) and [here](#)), the International Union of Operating Engineers Local 150 has filed a complaint in federal court challenging Indiana's new right-to-work law on constitutional grounds. On March 7, 2012, the State of Indiana filed a motion to dismiss for lack of subject matter jurisdiction. In response, the Union has come forth with its opposition and arguments that the right-to-work law violates the constitutions of the United States and Indiana. Specifically the Union argues that the new controversial law violates the Contracts, Equal Protection, and Ex Post Facto Clauses of the U.S. Constitution. The Union also argues that the law violates Article I Section 21 of the Indiana Constitution which provides:

No person's particular services shall be demanded, without just compensation. No person's property shall be taken by law, without just compensation; nor, except in case of the State, without such compensation first assessed and tendered.

Finally, the Union contends that the right-to-work law is preempted by the NLRA. The Union's brief can be [found here](#) as well as recent media coverage by [The Indianapolis Star](#). A ruling from the Court is expected later this month.

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