

NLRB Signals It May Chip Away At Right To Work Laws

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In a quiet move that did not seem to generate much coverage, on April 16, 2015, the NLRB invited interested parties to file briefs about whether it should permit unions to charge "fair share" fees to nonmembers despite right to work laws. Critics have already argued the NLRB's move may be a reaction to the number of additional states who have passed right to work laws in recent years - now half of all states have right to work laws. In a recent case, the ALJ found the union violated Section 8(b)(1)(A) by maintaining and implementing a "Fair Share Policy" requiring nonmember bargaining-unit employees to pay a grievance-processing fee. But before addressing the issue presented, the full Board asked for briefs on the issue of whether it should "reconsider its rule that, in the absence of a valid union-security clause, a union may not charge nonmembers a fee for processing grievances?" It acknowledged the current rule prohibiting unions from doing so has been in place since 1976. Read the [NLRB's press statement](#). At least one union has already applauded the move. The SMART union's release can be found [here](#).

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