

Kentucky's Right-to-Work Law Upheld By Court

January 26, 2018 | [State Labor Laws, Unions And Union Membership, Labor And Employment](#)



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A Kentucky state court judge has granted a motion to dismiss a lawsuit brought by Teamsters' Local 89 from Louisville, which claimed that Kentucky's new Right-to-Work Act constituted a "taking" by the state in violation of the Kentucky Constitution. The state's constitution prohibits the state from "taking ... private property for public use without compensation." The Teamsters argued that the new law constituted a "taking" because it allowed "freeloaders" to have the benefit of union services without having to pay dues. But Franklin Circuit Court Judge Thomas Wingate disagreed. In his ruling, he concluded that "Plaintiffs lack a property interest which the government could take, despite plaintiffs' assertion that future union services and union security contract clauses both constitute property interests." The union also alleged violations of the equal protection and arbitrary action provisions of the state constitution. Judge Wingate also dismissed those claims. According to media accounts, the Teamsters and the Kentucky AFL-CIO will immediately appeal the decision. AFL-CIO President Bill Loeferer said in a statement that "we believe our higher courts will recognize the harmful effect that this unjust and discriminatory law has on our workers and their unions which are required under federal law to represent all workers in a bargaining unit including those who choose to withhold dues and fees." The [Lexington Herald Leader](#), [WDRB](#) and [WCPO](#) have more on this issue.

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