



Right to Work Law Passes in Missouri

February 7, 2017

Missouri is now the 28th Right to Work state after Governor Eric Greitens signed Senate Bill No. 19 into law. The law becomes effective on August 28, 2017.

The Right to Work law means that a union contract cannot require an individual to be a dues-paying union member in order to work for an employer. However, a "grandfather clause" in the law means that collective bargaining agreements existing before the law takes effect are exempt for now. An existing union contract must comply with the new law only upon renewal or modification of the union agreement after August 28, 2017.

The Right to Work law does not outlaw unions or prohibit unions from organizing employees nor does it negate any existing union representation rights. It does, however, change the rights of an individual in making the choice as to whether to be a dues-paying member of any union. Currently, union contracts can require that all workers covered by the contract must be dues-paying members in order to be employed. Right to Work outlaws these provisions and allows each worker to make the individual choice as to whether to belong to the union.

Supporters of Right to Work state that this will make Missouri more competitive in attracting businesses, which would increase the number of jobs in the state. All of Missouri's bordering states already have their own right-to-work laws, except for Illinois. Opponents of Right to Work argue that even if there are more jobs, employees will have lower wages and fewer benefits because the influence of unions will be lessened as their financial support diminishes.

As in several states that have recently passed Right to Work laws, legal challenges are expected. In fact, on January 9, 2017, former Secretary of State Jason Kander approved several union-sponsored petitions for a ballot initiative to amend Missouri's Constitution as his last official act in office. Filed by the Missouri AFL-CIO, the petitions kick-started an effort aimed at allowing citizens to directly vote on whether Missouri should become a right-to-work state.

In response to the union's strategy, The National Right to Work Legal Defense Foundation countered by filing several lawsuits against each of the AFL-CIO's petitions. There will no doubt be further developments between now and the August 28 effective date.



If you have any questions regarding this alert, please contact your Lathrop Gage attorney or the attorneys listed above.