

Alaska State Legislature

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Representative Carl Gatto

Chair, House Military and Veteran Affairs Committee

District 13 - Palmer

Sponsor Statement

HB 37

"An Act relating to the relationship between employees and labor organizations; prohibiting collective bargaining contracts that require employees to join a labor or employee organization; extending the policy and limitations set out in this Act to public employers and public employees subject to the Public Employment Relations Act; and providing for an effective date."

The true role of government in a free society is to protect the individual's ability to exercise his or her rights without harassment or interference from others. Our U.S. constitution allows us to take or avoid any legal action at any time for any reason. The body of law is clear; all actions not specifically denied in the constitution are permissible. These implied and defined rights allow an employee to bargain with his employer for the terms of his employment. Each party is free to accept, reject, or negotiate an agreement. The government's role in this negotiation is to allow it to proceed without harassment or interference. Unions are not the employer, and a decision to hire them to represent an employee is guaranteed in our constitutional rights of freedom of choice and freedom to associate. Union demands made on behalf of union members who voluntarily ask the union to be their bargaining agent is permissible. Union demands to be an employee representative are not permissible.

This principle of voluntarism is, after all, the historical basis of the early union movement. Samuel Gompers, the founder of the American Federation of Labor, was deeply committed to unionism as a voluntary institution. He noted that:

"The workers of America adhere to voluntary institutions in preference to compulsory systems which are held to be not only impractical but a menace to their rights, welfare and their liberty." – Samuel Gompers, 1916

Freedom of association is a Constitutional right, and workers are constitutionally free to join unions or refrain from joining unions.