

## **PROPOSED SUBSTITUTE RESOLUTION TO 15-2543**

Submitting a Proposed Resolution sponsored by

JOHN A. FRITCHEY, County Commissioner

### **PROPOSED SUBSTITUTE RESOLUTION**

#### **RESOLUTION OPPOSING THE CREATION OF LOCAL RIGHT TO WORK ZONES IN COOK COUNTY**

**WHEREAS**, Illinois Governor Bruce Rauner has repeatedly called for the creation of local right to work zones, in which voters could decide if workers in their communities employed in unionized industries can opt out of paying dues to labor organizations; and

**WHEREAS**, Governor Rauner has asked for local governments across Illinois to consider a resolution asking for voter referendums to allow local right to work zones; and

**WHEREAS**, such action has the potential to further dismantle unionized labor organizations, which have historically protected the rights of working and middle-class Illinoisans and could lead to lower wages, reduced benefits, and poor working conditions for employees whether they are union or non-union; and

**WHEREAS**, Illinois Attorney General Lisa Madigan released an opinion last week unequivocally declaring that the concept of local right to work zones presented by Governor Rauner would violate the National Labor Relations Act (NLRA); and

**WHEREAS**, the Attorney General opinion additionally states that “counties and municipalities, whether home rule or non-home-rule, as well as all other political subdivisions, units of local government, and school districts of this State, are precluded by federal law from enacting ordinances and resolutions that limit or restrict the use of union security agreements. Further, current law does not authorize the creation, through the passage of a referendum, of “right to work” zones or local areas wherein union security agreements will not be recognized.”; and

**WHEREAS**, although Illinois courts have not had to address this matter previously, courts of other jurisdictions and other state Attorneys General that have opined on the matter have uniformly concluded that the NLRA preempts the prohibition of union security agreements by units of local government in all instances relating to interstate commerce and that the lone exception to federal preemption authorizes only states and territories, and not their political subdivisions, to prohibit union security agreements; and

**WHEREAS**, this latest attack on collective bargaining is an attempt to weaken organized labor and will not make Illinois a more competitive business environment, evidenced by the fact that similar laws in other states have had no significant impact on attracting employers to a particular state;

**NOW, THEREFORE, BE IT RESOLVED**, that the Cook County Board of Commissioners hereby opposes the creation of local right to work zones in Cook County as such action may violate current federal and state laws and would negatively impact collective bargaining and hurt hard-working middle-class employees and their families in Illinois; and

**BE IT FURTHER RESOLVED**, that a suitable copy of this Resolution be tendered to the Speaker of the Illinois House of Representatives, the President of the Illinois Senate and to the Governor of Illinois.