

The Right-to-Work Discussion Carries On In The Seventh Circuit And The Ohio Statehouse

June 5, 2013 | [National Labor Relations Board](#), [Labor Relations](#)



**Adam L.
Bartrom**
Partner

Indiana Operators Local 150 is appealing the recent dismissal of its challenge to Indiana's Right-to-Work law to the Seventh Circuit and asserting that the law is preempted by the National Labor Relations Act and the U.S. Constitution's protections on free speech. The Union's preemption argument incorporates the common "free rider" argument, specifically contending that:

"The Indiana Right to Work law burdens union members and the union itself by requiring them to bear the full cost of representing 'free riders,' which in turn diverts union resources away from voluntary First Amendment activity..."

It is worth noting that the Union made similar arguments at the trial court level which were rejected by the District Court for the Northern District of Indiana as [we have previously covered here](#) . The Union's Reply Brief [can be found here](#).

Meanwhile, in Ohio, supporters and opponents of a right-to-work law crammed into a committee hearing [to share their differing opinions](#) on the controversial issue.

RELATED PRACTICE AREAS

Labor and Employment
Labor Relations
National Labor Relations Board (NLRB)

RELATED TOPICS

NLRB
Right to Work