

## Sixth Circuit Refuses To Vacate; Lets Local Municipal Right-To-Work Decision Stand

March 16, 2017 | [State Labor Laws, Unions And Union Membership, Labor And Employment](#)



**Keith J. Brodie**

Partner

Following up on our [post from earlier this week](#), on March 15, the U.S. Court of Appeals for the Sixth Circuit has refused to vacate its ruling in [Autoworkers Local 3047 v. Hardin County](#), a Kentucky case. In doing so, the court allows to stand its ruling that municipalities can pass enforceable right-to-work provisions. The unions wanted the decision vacated as moot based on the state of Kentucky adopting right-to-work legislation, thereby making it a right-to-work state. The Sixth Circuit denied the union's request because it found it still is not clear what impact Kentucky's legislation has on the Hardin County ordinance. The unions challenging the ruling have also indicated they want the Sixth Circuit's decision stayed so they can appeal to the U.S. Supreme Court, a proposition that may also hinge on any decision handed down by the Seventh Circuit in a case making its way through the federal courts in Illinois. Either way, yesterday's decision by the Sixth Circuit to keep its decision in *Hardin* in place may embolden other municipalities to pass right-to-work ordinances.

### RELATED PRACTICE AREAS

Collective Bargaining  
Labor and Employment  
Labor Relations  
Union Avoidance

### RELATED TOPICS

Right to Work  
Right to Work  
Sixth Circuit  
Labor Unions