

A New Frontier For Right-to-Work Laws?

January 26, 2015 | [Unions And Union Membership](#), [Labor And Employment](#)



**David J.
Pryzbylski**
Partner

Since December of last year, five different counties in Kentucky have passed "right-to-work laws" making it illegal for employers within their borders to require union membership as a condition of employment. While 24 states have passed such laws to date, this appears to be the first time efforts by smaller units of "state government" (i.e., counties) have been undertaken on this front. While the NLRA allows "states" to pass and implement right-to-work laws, it is not clear if smaller units of local government can pass these laws or not. Unions have filed a lawsuit against these Kentucky counties in federal court, so we'll likely soon know whether these laws will stand. If they are deemed to be valid under the NLRA, we could see a tidal wave of counties in non-right-to-work states taking up this cause on their own. Articles with more background on this issue can be found [here](#) and [here](#). Stay tuned to the B&T labor blog for further developments.

RELATED PRACTICE AREAS

Collective Bargaining
Labor and Employment
Labor Relations
Union Avoidance