

## Judge Dismisses IN Right-To-Work Law Challenge

Tom Davies, Associated Press

INDIANAPOLIS (AP) — A federal judge on Thursday dismissed a lawsuit filed by union members challenging Indiana's right-to-work law that was enacted last year.

U.S. District Court Judge Philip Simon in Hammond ruled that none of the union's arguments against the law could succeed in federal court, although a challenge could still be made in state courts.

The International Union of Operating Engineers Local 150 filed the lawsuit last year trying to block the law, which bans contracts between companies and unions that require workers to pay union representation fees. The legislative fight over the Republican-backed law led to boycotts by Democratic lawmakers during the 2011 and 2012 sessions.

The union argued in the lawsuit that the right-to-work law contains multiple violations of both the state and federal constitutions, including a contention that the law interferes with the union's free speech rights by stifling the collection of money that helps pay for its political speech.

Simon's ruling said the belief that the right-to-work law would contribute to a business-friendly environment could provide a legitimate reason for its passage.

"For better or worse, the political branches of government make policy judgments," Simon wrote. "The electorate can ultimately decide whether those judgments are sound, wise and constitute good governance, and then can express their opinions at the polls and by other means. But those are questions beyond the reach of the federal court."

Union spokesman Ed Maher said an appeal of Simon's decision would be considered. The union local based in suburban Chicago has about 4,000 members in northern Indiana.

Another challenge to the law filed by the United Steelworkers is pending in Lake County court in northwestern Indiana. That lawsuit argues the law violates a clause in the Indiana constitution barring demands for services from someone "without just compensation."

"The state constitutional claim is something that we've felt strongly about from the beginning," Maher said. "We're going to take a look into our options in state court as well as the appeals court."

The Indiana attorney general's office argued the federal lawsuit should be dismissed because federal law specifically allows states to enact right-to-work laws and that federal courts have upheld such laws in other states.

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Indiana became the 23rd state with a right-to-work law when it was signed by then-Gov. Mitch Daniels last February.

"The federal court's decision supports the legal authority and policy decisions of the people's elected representatives in the Legislature," state Attorney General Greg Zoeller said.

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