

Testimony Before the U.S. Senate Committee On Health, Education, Labor & Pensions

Hearing: “Labor Law Reform Part 2: New Solutions for Finding a Pro-Worker Way Forward”

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Thank you, Chairman Cassidy, Ranking Member Sanders, and Members of the Committee.

My name is Jon Hartley. I'm an economist and currently an economics PhD candidate at Stanford University. I also work at several other think tanks focused on economic policy issues.

The purpose of my testimony today is to highlight a major challenge in American labor law today: the coercive use of union membership, dues and fees for political purposes unrelated to workers' economic welfare.

Many in the American public may not be aware that, in recent years, many groups of university graduate students have formed unions. This includes Harvard, Cornell, MIT, and Stanford, where I currently work as a teaching assistant. Let it be said I firmly believe that workers have the right to organize, and this is an important pro-worker right to allow for workers to engage in collective bargaining for improved wages, benefits and working conditions.

However, many unions today have expanded beyond traditional workplace bargaining into broader political activism, which can alienate members who disagree with these causes. These student unions often are led by some of the most progressive students on their respective campuses. Many of these unions have affiliated with the United Electrical, Radio and Machine Workers of America (UE), one of the most progressive unions in America. It was the first national union to endorse the Boycott, Divestment, and Sanctions (BDS) campaign against Israel in 2015. It supports many additional progressive causes including, abortion, “Medicare for all”, the “Green New Deal”, and the “No Kings” protests which protest President Donald Trump.

I first entered Stanford as a graduate student in 2021, with no idea that a graduate student union would be formed in the years to come nor that it would become a condition of employment as a worker. In 2023, the Stanford Graduate Workers Union was certified and affiliated with the United Electrical workers.

In November of 2024, to avert a looming strike, leadership at Stanford University signed a collective bargaining agreement that included a forced dues clause, making joining the United Electrical Workers and/or paying it fees, a condition of employment at the university as teaching assistants or research assistants.

Earlier this year, the progressive student union obtained my email and phone number, and sent many harassing emails, threatening to terminate my employment at the university if I didn't join or pay money. Eventually they sent a termination request to the university in June of this year. In August of this year, I was told by university officials that if I did not pay the union by the end of the week, my employment at the university would be terminated.

California is not a right-to-work state and hence workers like me, who object to funding a progressive union, have limited options.

Technically, graduate students have the right under the Supreme Court's 1988 Beck decision to opt out of full union membership and dues payment and pay only "agency fees". However, those fees are nearly identical to regular dues and still end up in union coffers of a union that makes progressive politics a primary part of its mission. I would contend this is not sufficient to protect workers.

Another path exists for religious objectors under Title VII of the Civil Rights Act. The challenge here is that what constitutes genuine religious accommodation is often left up to the union (though the law clearly states that a university has discretion as well).

Because many of the issues the union supports contravene my Catholic faith, I refused to pay money to an organization that supports causes contrary to my moral and religious principles. By national charter of the United Electrical Workers, the majority (at least two-thirds) of union dues collected by the Stanford Graduate Workers Union affiliate of the United Electrical Workers go to the national body, whose agenda extends far beyond typical concerns like wages, benefits, and working conditions.

Jewish students at MIT and Cornell troubled by BDS and anti-Israel sentiments have faced resistance in getting religious accommodations from the United Electrical workers, because the union had classified this as a political objection rather than a religious one. It was only after bringing attorneys to their universities and threatening to bring charges from the Equal Employment Opportunity Commission that they have been able to get their university (rather than the union) to grant the religious accommodations. Stanford so far is deferring to the union to decide religious accommodations. I requested such a Title VII religious exemption from union payments. Typically, people who are granted such an exemption, after filling out an exhaustive survey about their religious practices, are still required to contribute funds to one of a set of non-political charities provided by the union. My exemption was just granted over the past week and I have to choose amongst the American Cancer Society, American Heart Association, and Nature Conservancy to pay the equivalent amount of union dues each year, which is in the amount of roughly \$690 to \$810 per year.

The fact is these progressive issues supported by major labor unions have no bearing on the wages and benefits of graduate students. The United Electrical Workers spend this money on political causes and is aligned heavily with the Democratic Party. So are many of the other

largest unions in the United States.¹ What might be the consequences of forced contributions to progressive political causes as a political condition of employment? Will this discourage conservatives like me from applying to graduate schools going forward and becoming professors?

Labor law reform should consider political dimensions of unions. Why not bar them from political activity? If I felt that my contributions were not used for political purposes but instead focused on wages and benefits, I would feel better about making contributions. Why not treat them like 501(c)(3)'s which are barred from coordination with political parties and making direct financial contributions to them? Part of me says this would be a step in the right direction, though perhaps not enough. Unions promote political causes in ways that go beyond official support for political parties and candidates.

Another path might be national right-to-work laws that would stop unions from forcing workers to pay dues or fees to labor unions.²³ Such laws would let individuals decide for themselves whether a union deserved their financial support and would make it harder for unions to promote across-the-board progressive politics, since they would risk losing financial support from people who disagree. 26 U.S. states currently have right-to-work laws and *Janus v. AFSCME* (2018) established right-to-work nationwide for public-sector employees.

Respecting moral conscience should be primary in our labor laws if they are to be truly pro-worker. Unions should be focused on bargaining for their members to obtain better wages, benefits, and working conditions⁴, rather than across-the-board progressive politics.

¹ Over one quarter of United Autoworkers (UAW) membership today is now made up of graduate students.

² Why should poor graduate students be forced into paying roughly \$690 to \$810 of their annual wages to a union? This is about 1.44% of gross pay (the minimum possible amount outlined the national UE constitution).

³ Non-religious students opposed to subsidizing the union on other moral grounds would not have such a path to obtaining an accommodation in the 1964 Civil Rights Act.

⁴ There is some debate in the academic literature to what degree unionizations create wage gains for workers. There are studies that compare establishments where a union vote barely passed (i.e. unionization gained) to those where it barely failed (i.e. no union), under the idea that near the cutoff the outcomes are as good as randomly assigned. Some of these studies find small or negligible causal effects of unionization on wages, employment, and output (see DiNardo, John and David Lee, (2004). "Economic impacts of new unionization on private sector employment 1984-2001", Volume 119, Issue 4, November 2004, *Quarterly Journal of Economics*, 1383-1441). Other recent studies focused on unionization education in higher education, particularly Canadian universities, find that wages at the bottom of the wage distribution increased by roughly 10 percent while wages at the top were unaffected, driven by the introduction of contractual salary floors (see Baker, Michael, Yosh Halberstam, Kory Kroft, Alexandre Mas, Derek Messacar (2025), "The Impact of Unions on the Wage Distribution: Evidence from Higher Education", *American Economic Review: Insights*, Forthcoming).