



DOES UNION SECURITY PROMOTE LABOR PEACE IN **PUBLIC EMPLOYMENT RELATIONS?**

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SUMMARY

An analysis of two federal databases of strikes and work stoppages—one from the Bureau of Labor Statistics (BLS) and one from the Federal Mediation and Conciliation Service (FMCS)—finds a strong correlation between a state’s right-to-work status and the degree of labor unrest. The BLS database indicates government workers in states that allow union security provisions go on strike at more than 26 times the rate of public employees in right-to-work states. The larger FMCS database confirms these findings, indicating that, while average strike size was essentially the same, public employees in union security states went on strike nearly 17 times more often and for twice as long as government workers in RTW states. The same general trends hold when all strikes in both the public and private sectors are examined, though the disparity between the strike rates in right-to-work and non-right-to-work states is smaller.

DOES UNION SECURITY PROMOTE LABOR PEACE IN PUBLIC EMPLOYMENT RELATIONS?

INTRODUCTION

When Congress passed the National Labor Relations Act in 1935, it gave labor unions wide latitude to require private employees to associate with and pay dues and fees to a union as a condition of employment. That leeway was diminished somewhat by the passage of the Taft-Hartley Act in 1947, but private-sector labor unions retained the ability to have workers fired for failure to pay union dues and fees.

Section 14B of the Act, however, permitted individual states to ban “union security” provisions—which condition employment upon the payment of union dues or fees—from inclusion in union collective bargaining agreements. Such legislation is commonly referred to as a “right-to-work” (RTW) law.

Collective bargaining in the public sector first began to take root when New York Mayor Robert Wagner authorized collective bargaining for city employees by executive order in 1958.¹ Wisconsin became the first state to formally establish collective bargaining for public employees

in 1959.² In 1962, an executive order by President John Kennedy established collective bargaining for federal employees.³

Today, most states, but not all, permit collective bargaining for some or all public employees.⁴

Recent years have seen the emergence of another important labor trend as an increasing number of states adopt RTW laws. During the 20-year period from 1944 to 1963, 19 states passed RTW legislation or constitutional amendments. Only three passed RTW protections in the 48 years from 1964 to 2011.⁵

But the relative inactivity on RTW ended in the Midwest in 2011, when Wisconsin extended RTW protections to public employees, followed by Indiana’s passage of RTW legislation in 2012 and Michigan’s adoption of a RTW law in 2013. Wisconsin extended RTW protections to private-sector employees in 2015. Several other states are currently considering RTW laws and even some counties have begun passing local RTW ordinances, though their legal authority to do so is currently

being challenged in court.⁶

In some cases, RTW policies have advanced through the judicial system. In June 2014, the U.S. Supreme Court ruled in *Harris v. Quinn* that “partial-public employees” like state-subsidized home care aides cannot be constitutionally required to pay union dues or fees.⁷

Another case currently pending before the U.S. Supreme Court, *Friedrichs v. California Teachers Association*, has the potential to expand RTW protections to all public employees nationwide.⁸

In previous cases, the court has upheld the constitutionality of “agency shop” union security provisions, which obligate public employees to pay at least a representation fee to the union as a condition of employment.⁹ Unions calculate the fees annually, which typically range from about 60 to 90 percent of full dues and are intended to allow employees to avoid supporting the union’s political activity and expenditures unrelated to contract negotiation and administration.

Continued on Page 2. >



One of the key arguments used to justify union security requirements in public employment is that such provisions are necessary to ensure “labor peace.” In prior cases, primarily *Abood v. Detroit Board of Education*, the court reasoned that government employers need to be able to agree to union security provisions in union contracts in order to prevent the disruption of the efficient delivery of critical government services by public employee strikes and unrest.¹⁰

The plaintiffs in *Friedrichs*, a group of California public school teachers, are challenging these and other assumptions and asking the court to revisit its previous rulings on First Amendment grounds. Consequently, the issue of labor peace again features prominently.

In its brief, the California Teachers Association contends,

Abood recognized the State’s interest in an effective bargaining partner based on the multi-decade experiences of private-sector employers, as well as Congress’s recognition that fair-share fees facilitate the effectiveness of unions

*in maintaining stable labor relations... Petitioners’ speculation—unsupported by any evidentiary record—about what would happen in a world without fair-share (agency shop) fees is insufficient to overturn Abood’s contrary experiential judgments.*¹¹

Echoing these sentiments, the brief submitted by the California Attorney General contends extending RTW protections to public employees would have the effect of “fostering rancor and resentment in the workplace and directly undercutting the interests of the government employer.”¹²

The question of whether union security promotes labor peace is more empirical than legal, and yet it appears surprisingly little study of the issue has so far taken place, despite the fact that RTW laws banning union security provisions are now on the books in 25 states. If union security helps public employers maintain labor peace, RTW states should be expected to have comparatively more labor unrest than non-RTW states. If, however, RTW states experience greater stability in public employment relations than their non-RTW counterparts, it would seriously undermine the

legal argument supporting union security requirements for public employees.

Thankfully, two federal databases of union strikes—one from the Bureau of Labor Statistics and one from the Federal Mediation and Conciliation Service—permit a meaningful comparison to be made between the degree of labor peace in states with and without RTW laws, as measured by the frequency of union strikes and work stoppages.

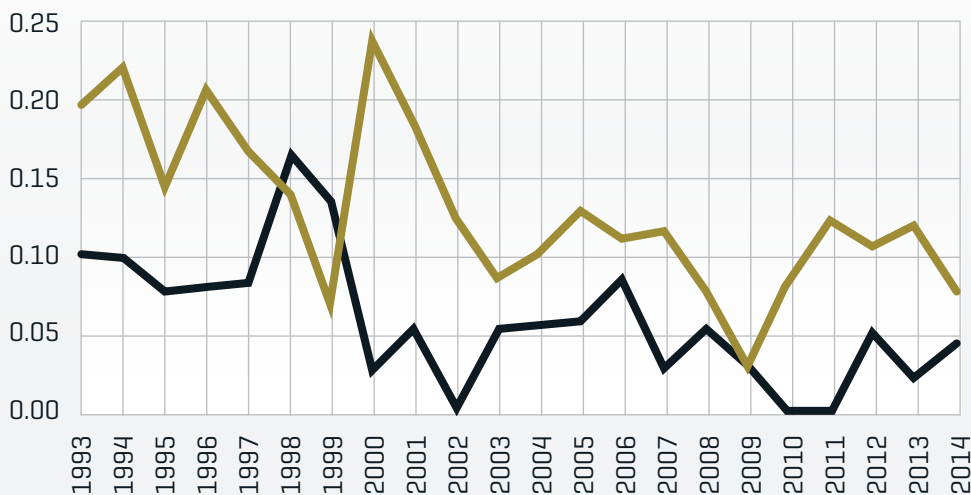


The federal Department of Labor’s Bureau of Labor Statistics (BLS) maintains a database of strikes and work stoppages involving 1,000 or more workers from 1993 through 2014, gathered from public news sources. Strikes in both the public and private sectors are included in the database.

FINDINGS: ALL STRIKES

- 1 The database records a total of 446 strikes.
- 2 Of these, 49 strikes took place in RTW states while 397 took place in non-RTW states.
- 3 RTW states had a lower percentage of the nation’s strikes than their percentage of the nation’s union represented workers in 20 of the 22 years covered by the database.
- 4 Union workers in RTW states went on strike at a lower rate than union workers in non-RTW states in 20 of the 22 years covered.
- 5 On average over the database period, RTW states experienced 0.060 strikes per year for every 100,000 union workers, while non-RTW states experienced 0.130 strikes per year for every 100,000 union workers.
- 6 Union workers in non-RTW states went on strike at 2.17 times the rate of union workers in RTW states.

TOTAL STRIKE RATE BY STATE RTW STATUS (BLS)



NON-RTW Strike Rate Per 100K Union Workers

RTW Strike Rate Per 100K Union Workers

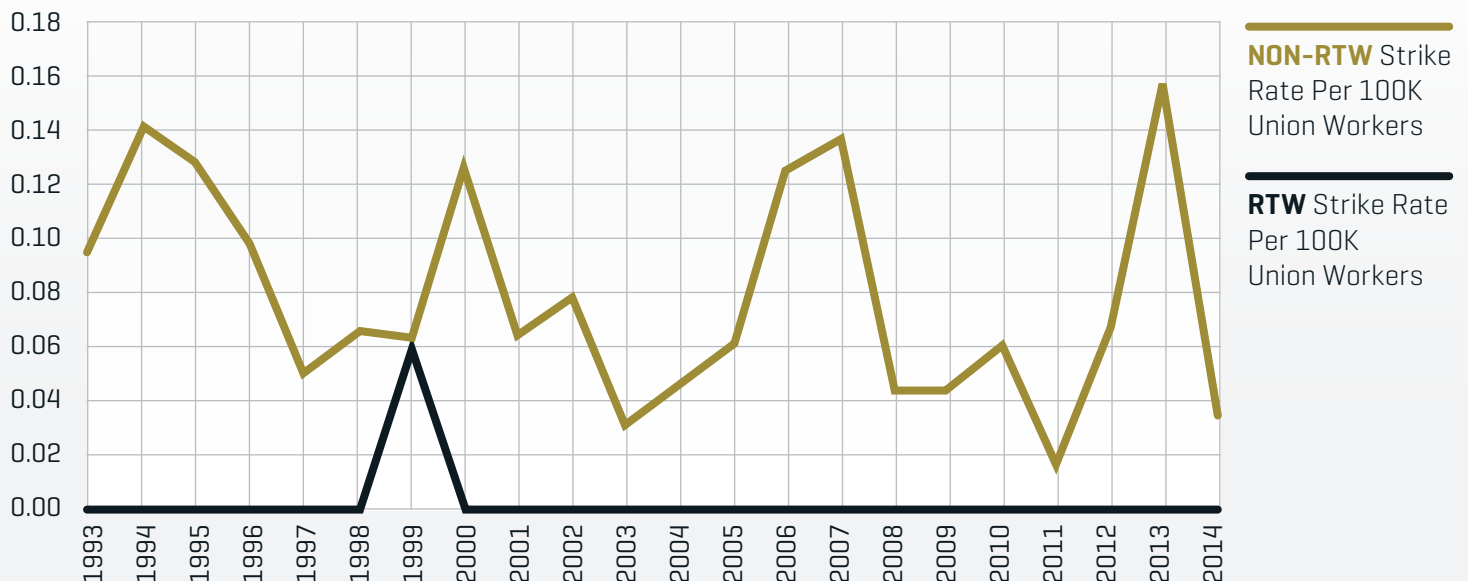
By this measurement, labor unrest in the form of strikes and work stoppages appears to be substantially more common in states that permit union security provisions than in states that ban such mandatory dues requirements.

The issue of labor peace at hand in *Friedrichs*, however, pertains not to all union activity, but just to labor relations in public employment. An examination of only public employee strikes further reinforces the above findings.

FINDINGS: PUBLIC EMPLOYEE STRIKES

- 1 The BLS database records a total of 110 strikes by state and local government employees.
- 2 Only one strike by public employees happened in a RTW state while 109 occurred in non-RTW states.
- 3 RTW states had a lower percentage of the nation's public-sector strikes than their percentage of union represented public-sector workers in all 22 of the years covered.
- 4 Public employees in RTW states went on strike at a lower rate than their counterparts in non-RTW states in all 22 years covered by the database.
- 5 On average from 1993-2014, RTW states experienced 0.003 public-sector strikes per year for every 100,000 union-represented government workers, while non-RTW states experienced 0.079 strikes per year for every 100,000 public-sector union workers.
- 6 Government employees in non-RTW states went on strike at a rate 26.33 times greater than the rate of public employees in RTW states.

PUBLIC SEC. STRIKE RATE BY STATE RTW STATUS (BLS)



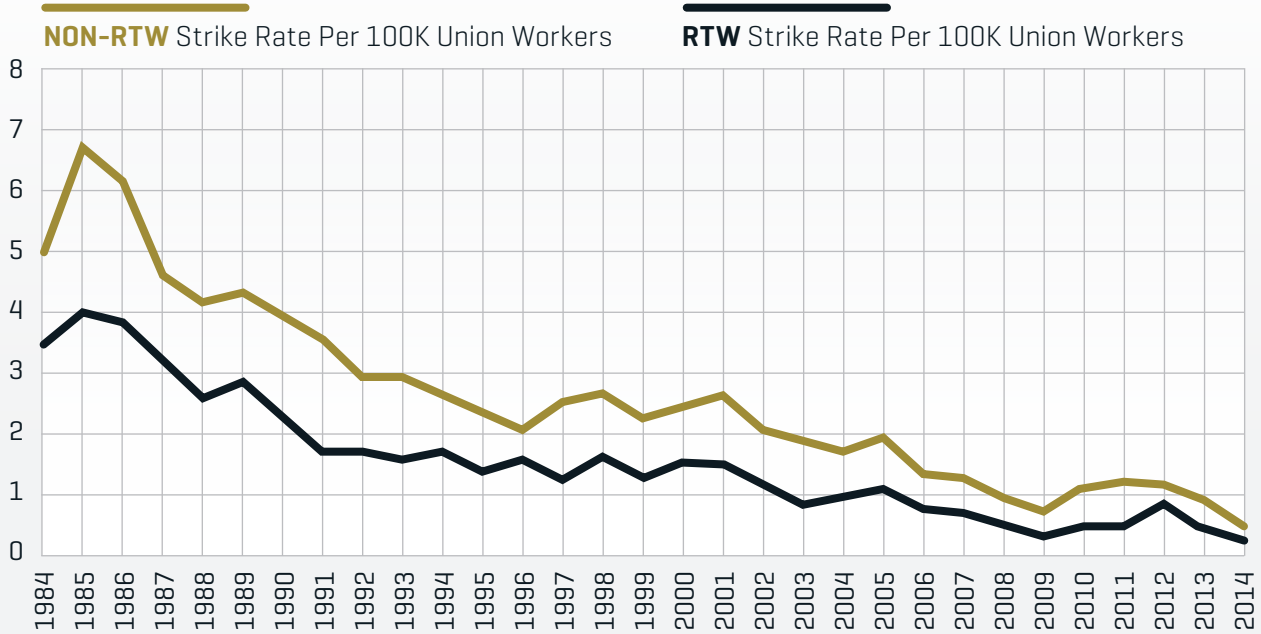
The Federal Mediation and Conciliation Service (FMCS) describes itself as “an independent agency whose mission is to preserve and promote labor-management peace and cooperation.”¹³ Part of FMCS’ role is to help mediate between labor and management during strikes and work stoppages.

The FMCS maintains a database of all strikes and work stoppages with which it has been involved from 1984-2014, including strikes in both the public and private sectors. The FMCS mediates private-sector labor disputes in all 50 states and provides public-sector mediation in 21 states (11 are RTW and 10 are non-RTW). In addition to permitting measurement of the strike rate in RTW and non-RTW states, the FMCS database is large enough to give a reasonably accurate idea of the size and duration of strikes, though some specific entries are obviously inaccurate, such as strikes reported to begin on a date later than the listed conclusion date.

FINDINGS: **ALL STRIKES**

- 1 The FMCS database includes a total of 13,624 strikes.
- 2 Of these, 1,810 strikes happened in RTW states, while 11,814 took place in non-RTW states.
- 3 RTW states had a lower percentage of the nation’s strikes than their percentage of the nation’s union represented workers in all 31 of the years covered.
- 4 Similarly, union workers in RTW states went on strike at a lower rate than union workers in non-RTW states in all of the 31 years covered.
- 5 On average over the database period, RTW states experienced 1.540 strikes per year for every 100,000 union workers, while non-RTW states experienced 2.596 strikes per year for every 100,000 union workers.
- 6 Union workers in non-RTW states went on strike at 1.69 times the rate of union workers in RTW states. *See chart on next page* >

TOTAL STRIKE RATE BY STATE RTW STATUS (FMCS)



6

Union workers in non-RTW states went on strike at 1.69 times the rate of union workers in RTW states.

7

On average from 1984-2014, strikes in non-RTW states lasted for 50 days. With an average duration of 62 days, strikes in RTW states lasted 24 percent longer.

8

Strikes in non-RTW states idled an average of 463 workers, about 3 percent more than the 450 workers idled on average in RTW states.

Though the difference in the total strike rate for RTW and non-RTW states from FMCS data is smaller than the difference indicated by BLS data, it is still quite significant. The slightly smaller strike size in RTW states and dramatically lower frequency more than offsets the fact that strikes in RTW states tend to last longer than those in non-RTW states.

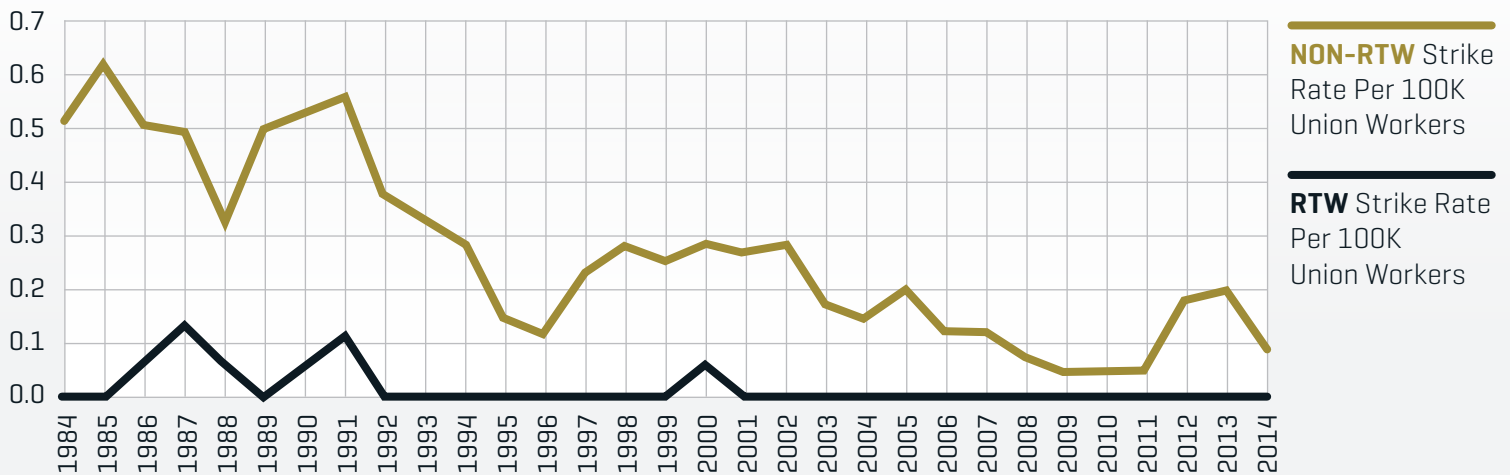
As with the BLS data, analyzing only public-sector strikes reveals an even starker disparity in the strike rate between RTW and non-RTW states.



FINDINGS: PUBLIC EMPLOYEE STRIKES

- 1 The FMCS database lists a total of 509 public-sector strikes.
- 2 Of these, a mere eight strikes happened in RTW states while 501 occurred in non-RTW states. FMCS records list only a single public-employee strike that took place in a RTW state since 1992.
- 3 RTW states had a lower percentage of the nation's public-sector strikes than their percentage of public-sector union workers in all 31 of the years covered.
- 4 Government workers in RTW states went on strike at a lower rate than public-sector employees in non-RTW states in all 31 years covered by the database.
- 5 From 1984-2014, RTW states experienced an average of 0.016 strikes per year for every 100,000 union-represented public employees. Non-RTW states experienced 0.269 strikes per year for every 100,000 public-sector union workers.
- 6 Public-sector workers in non-RTW states went on strike at a rate 16.81 times greater than the rate of their counterparts in RTW states.

PUBLIC SEC. STRIKE RATE BY STATE RTW STATUS (FMCS)



- 7 At 17.3 days, the average public-employee strike in non-RTW states lasted nearly twice as long as the average 8.8 day strike by public workers in RTW states.
- 8 At 943, the average number of employees idled in RTW public-sector strikes was a slight .01 percent higher than the non-RTW average of 932.

ANALYSIS AND CONCLUSION

Neither the BLS nor the FMCS databases provide complete records of all strike activity, nor are they free from typos and data entry errors. However, they provide representative samples useful for measuring broad trends.

When all strikes in RTW states are compared to all strikes in non-RTW states, the results are clear: Employees in non-RTW states, where union security provisions are permitted, go on strike at a significantly higher rate than workers in RTW states, where mandatory dues provisions are illegal. While, overall, strikes tend to be moderately longer in RTW-states, strikes in non-RTW states tend to be slightly larger.

This already-noteworthy disparity widens dramatically when the analysis is confined to strikes by public-sector employees, with BLS data indicating government workers in non-RTW states strike at 23 times the rate of workers in RTW states. FMCS data confirm these findings, indicating that, while average strike size was effectively the same, public employees in non-RTW states went on strike nearly 17 times more often and for twice as long as government workers in RTW states.

It is important to acknowledge that, for the purposes of this analysis, the relationship between union security states and high strike rates is purely correlative, not causal. Regardless, the results are so lopsided that even fairly substantial unaccounted-for dynamics or inaccuracies in the data likely would not change the conclusion.

Several factors could explain the difference in strike rates. One possible explanation is that RTW states tend to be more likely to legally prohibit or penalize public employee strikes. If so, however, it would indicate that states and public employers have other means at their disposal for ensuring labor peace that are less restrictive of First Amendment free speech and association rights than compelling public employees to pay union dues or fees under a union security provision.

Another possible factor could be that unions in RTW states are more hesitant to engage in high-pressure activity that could fracture their membership and cause them to lose dues-paying members. If the continued payment of dues by all of its members can be taken for granted, aggressive union leadership or a vocal union

minority can lead an entire bargaining unit into a strike with less to lose.

Whatever the explanation, the data presents no reason to believe that union security requirements for government employees deter strikes and work stoppages in the public sector. On the contrary, non-RTW states that condition public employment upon the payment of union dues or fees appear to have substantially higher levels of labor unrest than RTW states in which public employees are empowered to choose for themselves whether to pay union dues or fees.



METHODOLOGICAL NOTES AND DATA CITATIONS

1. The Bureau of Labor Statistics strike database is titled, “Work stoppages involving 1,000 or more workers, 1993-2014.” Last updated on July 24, 2015. Accessed December 16, 2015.
http://www.bls.gov/wsp/monthly_listing.htm
2. The Federal Mediation and Conciliation Service strike database is available in Microsoft Excel file format on the FMCS website under “Work Stoppage Data.” Accessed December 16, 2015. <https://www.fmcs.gov/resources/documents-and-data/>
3. Twenty-nine states require public-sector labor disputes to be mediated by a state board. The FMCS provides public-sector mediation services in the other 21. Of these, 11 are currently right-to-work states (Arizona, Florida, Idaho, Iowa, Kansas, Nebraska, Nevada, Oklahoma, Tennessee, Utah and Wyoming) and 10 are not right-to-work states (Alaska, Colorado, Connecticut, Hawaii, Illinois, Maryland, New Hampshire, New Mexico, Ohio and Vermont).
4. Data about union representation by state was obtained from www.UnionStats.com, a project of Barry Hirsch (Andrew Young School of Policy Studies, Georgia State University) and David MacPherson (Department of Economics, Trinity University). They describe the website as, “an Internet data resource providing private and public sector labor union membership, coverage, and density estimates compiled from the monthly household Current Population Survey (CPS) using BLS methods.”
5. The timeline used to calculate each state’s RTW status during the years of the database periods was obtained from the National Right to Work Committee’s “State Right to Work Timeline.” Accessed on December 16, 2015. <https://nrtwc.org/facts-issues/state-right-to-work-timeline-2/>
6. Both the BLS and FMCS databases include records of strikes which spanned multiple states in both RTW and non-RTW legal environments. For the purposes of this report, these strikes are not included in the totals or analysis.
7. The FMCS database records some strikes initiated late in 1983, but does not record all strikes for that year. The strikes for 1983 are also excluded from this report’s totals and analyses.
8. Like the FMCS database, the BLS database also included information about the duration of the strikes and the number of affected workers. However, the BLS database included a not-insignificant number of obvious typos and data entry errors, such as strikes with a negative duration. Further, the relatively small size of the database made establishing reliable averages impossible in certain circumstances, as in the case of the single recorded public employee strike in a RTW state.
9. The 509 public-sector strikes from the FMCS database include strikes by state, municipal, school district and public higher education employees. Strikes by federal employees, employees of regulated utilities, government contractors and public hospitals are not included in the total or subsequent analysis.
10. Entries in the FMCS data with negative strike duration or participation were disregarded for the purpose of calculating average strike length and size, but included in the strike rate calculations.



ENDNOTES

- 1 DiSalvo, Daniel. “The Trouble with Public Sector Unions.” *National Affairs*, Issue No. 5. Fall 2010.
<http://www.nationalaffairs.com/publications/detail/the-trouble-with-public-sector-unions>
- 2 Anderson, Tim. “Fight over Future of Collective Bargaining Laws Has Just Begun.” Council of State Governments. Accessed on Dec. 16, 2015. http://www.csg.org/pubs/capitolideas/GrowthandProsperitySpecialEdition/collectivebargaining_hottopic.aspx
- 3 DiSalvo, Daniel. “The Trouble with Public Sector Unions.” *National Affairs*, Issue No. 5. Fall 2010.
<http://www.nationalaffairs.com/publications/detail/the-trouble-with-public-sector-unions>
- 4 Sanes, Milla and John Schmitt. “Regulation of Public Sector Collective Bargaining in the States.” Center for Economic and Policy Research. Mar. 2014. <http://cepr.net/documents/state-public-cb-2014-03.pdf>
- 5 National Right to Work Committee. “State Right to Work Timeline.” Accessed on Dec. 16, 2015.
<https://nrtwc.org/facts-issues/state-right-to-work-timeline-2/>
- 6 Sherk, James. “The Labor Story the Media Is Missing: Local Right-to-Work Laws Are Spreading.” National Review Online. April 13, 2015. <http://www.nationalreview.com/article/416854/labor-story-media-missing-local-right-work-laws-are-spreading-james-sherk>
- 7 *Harris v. Quinn*, 134 S. Ct. 2618 (2014). http://www.supremecourt.gov/opinions/13pdf/11-681_j426.pdf
- 8 Center for Individual Rights. “CIR Files Reply Brief in Friedrichs.” Dec. 16, 2015.
<https://www.cir-usa.org/cases/friedrichs-v-california-teachers-association-et-al/>
- 9 *Abood v. Detroit Board of Education*, 431 U.S. 209 (1977). <https://supreme.justia.com/cases/federal/us/431/209/case.html>
Chicago Teachers Union, Local No. 1, AFT, AFL-CIO v. Hudson, 475 U.S. 292 (1986).
<https://supreme.justia.com/cases/federal/us/475/292/case.html>
- 10 In *Abood*, the court reasoned, “The governmental interests advanced by the agency-shop provision in the Michigan statute are much the same as those promoted by similar provisions in federal labor law... The desirability of labor peace is no less important in the public sector...” In *Hudson*, the court confirmed and expanded on its prior ruling, noting, “...the government interest in labor peace is strong enough to support an ‘agency shop’...”
- 11 *Rebecca Friedrichs, et al., v. California Teachers Association, et al.* “Brief for the Union Respondents.” Supreme Court of the United States, Case No. 14-915. Nov. 6, 2015.
http://www.scotusblog.com/wp-content/uploads/2015/11/Union_Respondents_Brief_-_as_Filed_11-6-15.pdf
- 12 *Rebecca Friedrichs, et al., v. California Teachers Association, et al.* “Brief for the Attorney General of California.” Supreme Court of the United States, Case No. 14-915. Nov. 6, 2015.
<http://www.scotusblog.com/wp-content/uploads/2015/11/14-915bs-Brief-of-Cal-AG.pdf>
- 13 Federal Mediation and Conciliation Service. “About Us.” Accessed Dec. 16, 2015. <https://www.fmcs.gov/aboutus/>



APPENDIX A: BUREAU OF LABOR STATISTICS SUMMARY DATA, ALL STRIKES

Year	RTW Union Representation	% of Union Workers in RTW States	Non-RTW Union Representation	% of Union Workers in Non-RTW States	RTW Strikes	% of Strikes in RTW States	RTW Strike Rate Per 100K Union Workers	Non-RTW Strikes	% of Strikes in Non-RTW States	Non-RTW Strike Rate Per 100K Union Workers
1993	3946415	21.2%	14699966	78.8%	4	12.1%	0.101	29	87.9%	0.197
1994	4030234	21.4%	14812244	78.6%	4	10.8%	0.099	33	89.2%	0.223
1995	3755603	20.5%	14590724	79.5%	3	12.5%	0.080	21	87.5%	0.144
1996	3762711	20.7%	14395408	79.3%	3	9.1%	0.080	30	90.9%	0.208
1997	3622642	20.2%	14300364	79.8%	3	11.1%	0.083	24	88.9%	0.168
1998	3632741	20.3%	14285590	79.7%	6	23.1%	0.165	20	76.9%	0.140
1999	3701286	20.4%	14480988	79.6%	5	33.3%	0.135	10	66.7%	0.069
2000	3646086	20.3%	14298048	79.7%	1	2.9%	0.027	34	97.1%	0.238
2001	3717291	20.8%	14160791	79.2%	2	7.1%	0.054	26	92.9%	0.184
2002	3598576	20.6%	13903060	79.4%	0	0.0%	0.000	17	100.0%	0.122
2003	3600857	20.6%	13847510	79.4%	2	14.3%	0.056	12	85.7%	0.087
2004	3502226	20.5%	13585081	79.5%	2	12.5%	0.057	14	87.5%	0.103
2005	3431056	19.9%	13792306	80.1%	2	10.0%	0.058	18	90.0%	0.131
2006	3478445	20.6%	13381740	79.4%	3	16.7%	0.086	15	83.3%	0.112
2007	3581317	20.8%	13662024	79.2%	1	5.9%	0.028	16	94.1%	0.117
2008	3634569	20.5%	14126018	79.5%	2	15.4%	0.055	11	84.6%	0.078
2009	3456171	20.4%	13447432	79.6%	1	20.0%	0.029	4	80.0%	0.030
2010	3485096	21.4%	12804433	78.6%	0	0.0%	0.000	11	100.0%	0.086
2011	3428251	21.1%	12852766	78.9%	0	0.0%	0.000	16	100.0%	0.124
2012	3780020	23.8%	12125885	76.2%	2	13.3%	0.053	13	86.7%	0.107
2013	4445703	27.8%	11570468	72.2%	1	6.7%	0.022	14	93.3%	0.121
2014	4439629	27.5%	11702809	72.5%	2	18.2%	0.045	9	81.8%	0.077



APPENDIX B: BUREAU OF LABOR STATISTICS SUMMARY DATA, PUBLIC-SECTOR (PS) STRIKES

Year	RTW Union Representation	% of Union Workers in RTW States	Non-RTW Union Representation	% of Union Workers in Non-RTW States	RTW Strikes	% of Strikes in RTW States	RTW Strike Rate Per 100K Union Workers	Non-RTW Strikes	% of Strikes in Non-RTW States	Non-RTW Strike Rate Per 100K Union Workers
1993	1856907	22.7%	6305517	77.3%	0	0.0%	0.000	6	100.0%	0.095
1994	1851335	22.6%	6340509	77.4%	0	0.0%	0.000	9	100.0%	0.142
1995	1743836	21.8%	6242723	78.2%	0	0.0%	0.000	8	100.0%	0.128
1996	1726069	22.0%	6103610	78.0%	0	0.0%	0.000	6	100.0%	0.098
1997	1619040	21.1%	6048996	78.9%	0	0.0%	0.000	3	100.0%	0.050
1998	1703645	21.8%	6111056	78.2%	0	0.0%	0.000	4	100.0%	0.065
1999	1668366	20.9%	6297942	79.1%	1	20.0%	0.060	4	80.0%	0.064
2000	1660671	20.8%	6314927	79.2%	0	0.0%	0.000	8	100.0%	0.127
2001	1707132	21.4%	6268235	78.6%	0	0.0%	0.000	4	100.0%	0.064
2002	1755096	21.6%	6376842	78.4%	0	0.0%	0.000	5	100.0%	0.078
2003	1728197	21.1%	6456507	78.9%	0	0.0%	0.000	2	100.0%	0.031
2004	1776049	21.8%	6355065	78.2%	0	0.0%	0.000	3	100.0%	0.047
2005	1719634	20.8%	6542169	79.2%	0	0.0%	0.000	4	100.0%	0.061
2006	1759322	21.5%	6413114	78.5%	0	0.0%	0.000	8	100.0%	0.125
2007	1835070	21.9%	6538259	78.1%	0	0.0%	0.000	9	100.0%	0.138
2008	1885544	21.7%	6790648	78.3%	0	0.0%	0.000	3	100.0%	0.044
2009	1860034	21.4%	6817455	78.6%	0	0.0%	0.000	3	100.0%	0.044
2010	1846696	22.0%	6559277	78.0%	0	0.0%	0.000	4	100.0%	0.061
2011	2025376	24.4%	6283767	75.6%	0	0.0%	0.000	1	100.0%	0.016
2012	2040446	25.3%	6021121	74.7%	0	0.0%	0.000	4	100.0%	0.066
2013	2262092	28.7%	5632008	71.3%	0	0.0%	0.000	9	100.0%	0.160
2014	2198049	27.7%	5725089	72.3%	0	0.0%	0.000	2	100.0%	0.035



APPENDIX C: FEDERAL MEDIATION AND CONCILIATION SERVICE SUMMARY DATA, ALL STRIKES

Year	RTW Union Representation	% of Union Workers in RTW States	Non-RTW Union Representation	% of Union Workers in Non-RTW States	RTW Strikes	% of Strikes in RTW States	RTW Strike Rate Per 100K Union Workers	Non-RTW Strikes	% of Strikes in Non-RTW States	Non-RTW Strike Rate Per 100K Union Workers
1984	3964287	19.9%	15967232	80.1%	138	14.8%	3.481	797	85.2%	4.991
1985	3866338	20.0%	15491783	80.0%	153	12.8%	3.957	1041	87.2%	6.720
1986	3896609	20.2%	15381240	79.8%	149	13.6%	3.824	950	86.4%	6.176
1987	3696279	19.4%	15354677	80.6%	120	14.5%	3.247	707	85.5%	4.604
1988	3930634	20.4%	15310685	79.6%	102	13.8%	2.595	635	86.2%	4.147
1989	3850530	20.1%	15347034	79.9%	110	14.3%	2.857	661	85.7%	4.307
1990	3754522	19.7%	15303319	80.3%	84	12.2%	2.237	603	87.8%	3.940
1991	3846730	20.5%	14887049	79.5%	63	10.7%	1.638	526	89.3%	3.533
1992	3882106	20.9%	14657964	79.1%	68	13.8%	1.752	426	86.2%	2.906
1993	3946415	21.2%	14699966	78.8%	62	12.6%	1.571	432	87.4%	2.939
1994	4030234	21.4%	14812244	78.6%	70	15.2%	1.737	392	84.8%	2.646
1995	3755603	20.5%	14590724	79.5%	52	13.3%	1.385	340	86.7%	2.330
1996	3762711	20.7%	14395408	79.3%	58	16.3%	1.541	298	83.7%	2.070
1997	3622642	20.2%	14300364	79.8%	44	10.9%	1.215	358	89.1%	2.503
1998	3632741	20.3%	14285590	79.7%	58	13.2%	1.597	381	86.8%	2.667
1999	3701286	20.4%	14480988	79.6%	47	12.6%	1.270	326	87.4%	2.251
2000	3646086	20.3%	14298048	79.7%	55	13.6%	1.508	349	86.4%	2.441
2001	3717291	20.8%	14160791	79.2%	55	12.9%	1.480	372	87.1%	2.627
2002	3598576	20.6%	13903060	79.4%	40	12.3%	1.112	284	87.7%	2.043
2003	3600857	20.6%	13847510	79.4%	30	10.0%	0.833	269	90.0%	1.943
2004	3502226	20.5%	13585081	79.5%	34	12.7%	0.971	233	87.3%	1.715
2005	3431056	19.9%	13792306	80.1%	37	12.3%	1.078	264	87.7%	1.914
2006	3478445	20.6%	13381740	79.4%	28	13.5%	0.805	179	86.5%	1.338
2007	3581317	20.8%	13662024	79.2%	26	12.9%	0.726	176	87.1%	1.288
2008	3634569	20.5%	14126018	79.5%	19	12.9%	0.523	128	87.1%	0.906
2009	3456171	20.4%	13447432	79.6%	9	8.7%	0.260	95	91.3%	0.706
2010	3485096	21.4%	12804433	78.6%	17	10.8%	0.488	140	89.2%	1.093
2011	3428251	21.1%	12852766	78.9%	15	8.8%	0.438	155	91.2%	1.206
2012	3780020	23.8%	12125885	76.2%	31	18.5%	0.820	137	81.5%	1.130
2013	4445703	27.8%	11570468	72.2%	22	17.3%	0.495	105	82.7%	0.907
2014	4439629	27.5%	11702809	72.5%	14	20.3%	0.315	55	79.7%	0.470



APPENDIX D: FEDERAL MEDIATION AND CONCILIATION SERVICE SUMMARY DATA, PUBLIC-SECTOR (PS) STRIKES

Year	RTW Union Representation	% of Union Workers in RTW States	Non-RTW Union Representation	% of Union Workers in Non-RTW States	RTW Strikes	% of Strikes in RTW States	RTW Strike Rate Per 100K Union Workers	Non-RTW Strikes	% of Strikes in Non-RTW States	Non-RTW Strike Rate Per 100K Union Workers
1984	1488869	21.4%	5457021	78.6%	0	0.0%	0.000	28	100.0%	0.513
1985	1445994	20.9%	5474597	79.1%	0	0.0%	0.000	34	100.0%	0.621
1986	1513715	21.4%	5560216	78.6%	1	3.4%	0.066	28	96.6%	0.504
1987	1494676	20.9%	5671029	79.1%	2	6.7%	0.134	28	93.3%	0.494
1988	1644064	22.0%	5841005	78.0%	1	5.0%	0.061	19	95.0%	0.325
1989	1642962	21.6%	5971484	78.4%	0	0.0%	0.000	30	100.0%	0.502
1990	1640231	21.3%	6051207	78.7%	1	3.0%	0.061	32	97.0%	0.529
1991	1721159	22.1%	6074797	77.9%	2	5.6%	0.116	34	94.4%	0.560
1992	1739868	22.2%	6100719	77.8%	0	0.0%	0.000	23	100.0%	0.377
1993	1856907	22.7%	6305517	77.3%	0	0.0%	0.000	21	100.0%	0.333
1994	1851335	22.6%	6340509	77.4%	0	0.0%	0.000	18	100.0%	0.284
1995	1743836	21.8%	6242723	78.2%	0	0.0%	0.000	9	100.0%	0.144
1996	1726069	22.0%	6103610	78.0%	0	0.0%	0.000	7	100.0%	0.115
1997	1619040	21.1%	6048996	78.9%	0	0.0%	0.000	14	100.0%	0.231
1998	1703645	21.8%	6111056	78.2%	0	0.0%	0.000	17	100.0%	0.278
1999	1668366	20.9%	6297942	79.1%	0	0.0%	0.000	16	100.0%	0.254
2000	1660671	20.8%	6314927	79.2%	1	5.3%	0.060	18	94.7%	0.285
2001	1707132	21.4%	6268235	78.6%	0	0.0%	0.000	17	100.0%	0.271
2002	1755096	21.6%	6376842	78.4%	0	0.0%	0.000	18	100.0%	0.282
2003	1728197	21.1%	6456507	78.9%	0	0.0%	0.000	11	100.0%	0.170
2004	1776049	21.8%	6355065	78.2%	0	0.0%	0.000	9	100.0%	0.142
2005	1719634	20.8%	6542169	79.2%	0	0.0%	0.000	13	100.0%	0.199
2006	1759322	21.5%	6413114	78.5%	0	0.0%	0.000	8	100.0%	0.125
2007	1835070	21.9%	6538259	78.1%	0	0.0%	0.000	8	100.0%	0.122
2008	1885544	21.7%	6790648	78.3%	0	0.0%	0.000	5	100.0%	0.074
2009	1860034	21.4%	6817455	78.6%	0	0.0%	0.000	3	100.0%	0.044
2010	1846696	22.0%	6559277	78.0%	0	0.0%	0.000	3	100.0%	0.046
2011	2025376	24.4%	6283767	75.6%	0	0.0%	0.000	3	100.0%	0.048
2012	2040446	25.3%	6021121	74.7%	0	0.0%	0.000	11	100.0%	0.183
2013	2262092	28.7%	5632008	71.3%	0	0.0%	0.000	11	100.0%	0.195
2014	2198049	27.7%	5725089	72.3%	0	0.0%	0.000	5	100.0%	0.087

