Testimony of Emily Sowles, in Opposition to L.D. 187 "An Act to Prohibit Labor Organizations from Imposing Mandatory Service Fees on Nonmembers"

Senator Tipping, Representative Roeder and members of the Labor Committee, my name is Emily Sowles. I live in Old Town, Maine. I am a graduate researcher in the physics department at UMaine and a member of the UMaine Graduate Workers Union. I have worked as both a teaching assistant and a research assistant. In my teaching role, I lead recitation classes for roughly 60-80 students each week, graded assignments, provided more individual instruction during office hours, and took on extra grading assignments. As a researcher, I am working to incorporate cognitive science into the pedagogy of how we understand student reasoning on physics questions, with the aim to improve instruction. My union, UMGWU-UAW, represents the roughly 1000 graduate workers across the entire UMaine System and we are currently in bargaining to win a fair contract that will improve our working conditions and lives. I am here as both a union member, and worker in the state of Maine, to testify in opposition to LD 187.

This bill would damage the power of unions to fairly and democratically perform collective bargaining to obtain better wages, benefits, and protections for their worker bases.

It has been my great pleasure in the last three years to come to deeply understand the true power of workers collectivity. I have been just one part of a large organizing movement in the UMaine System to bring together not just my coworkers in the physics department, but to connect with graduate workers across almost every department and field housed within the Universities of Maine; to sit down and have conversations with engineers, biomedical scientists, artists, and so many more, about the material conditions of our lives and how we can, together, make a change. We talk about our pay, our healthcare issues, the daily ins and outs of working at UMaine, and how we *desperately* need these things to change and improve. And I am happy to say that we won our union authorization in the fall of 2023, because a super majority of graduate workers signed union authorization cards – a historic moment for card check-based voluntary recognition. And we won our union with a democratic mandate to improve the working conditions of ALL graduate workers in the UMaine System. Our power comes from our *collective*. It comes from the joining of our voices and the display of our democratic majority, as we demand better from our employer. When you start to chip away at that collectivity and solidarity, you compromise the power of the union itself. There is no realistic way to improve these things alone, and for what it's worth, I have no interest in doing so alone. To me, the fact that our Union will win a strong contract that benefits ALL graduate workers, is what makes this movement worthwhile.

I will remind you that Unions have a responsibility to represent members and non-members equally ***(International Assn. of Machinists v. Street, 367 U.S. 740, 761 (1961));*** that non-members have avenues in which to control the destination of their fee contributions (***Communications Workers of America v. Beck, 487 U.S. 735, 745 (1988). See also Ellis v. Brotherhood of Railway and Airline Clerks, supra.)***; and that union membership is already optional ***(Pattern Makers League v. NLRB, 473 U.S. 95 (1985)).*** Even without joining the union as a member, workers are ensured a democratic say. The process of unionizing, as I have very recent experience with, is through the force of democracy itself.

Supreme Court has observed, "[a] union-shop arrangement has been thought to distribute fairly the cost of these activities among those who benefit, and it counteracts the incentive that employees might otherwise have to become 'free riders'—to refuse to contribute to the union while obtaining benefits of union representation that necessarily accrue to all employees."***(Abood v. Detroit Board of Education, 431 U.S. 209, 221-22 (1977). See also Ellis v. Brotherhood of Railway and Airline Clerks, 466 U.S. 435, 447 (1984))***

In my union, I am fighting to improve the working conditions for all of us, and I understand that the power we can exert in the bargaining room to make substantive improvements comes directly from the collective buy-in from our worker base. We must protect the sanctity of this collective power.

We have organized successfully, not because of, but rather *despite* organizing within an effectively 'right to work' environment as public workers. The initial campaign to form a union was not easy. As we do not yet have a contract, we do not collect dues right now. Our organizing efforts are entirely volunteer based. And maintaining a fighting chance, let alone a strong union, over the course of multiple years is no small feat. I am both proud of the strength we have been able to demonstrate thus far, and also – frankly – scared at the possibility that our future organizing will be under the influence of LD 187 or other RTW bills like it. These bills ONLY make it harder to organize, and have the sole objective of sapping the strength of unions and organizers.

Again, I'll reference the Supreme Court when it recognized that the right to organize is "fundamental," workers have organized unions *"out of the necessities of the situation,"* including that "a single employee was helpless in dealing with an employer" and the "union was essential to give laborers the opportunity to deal on an equality with their employer." ***(NLRB v. Jones & Laughlin Steel Corp., 301 U.S. 1, 33 (1937))***

In order to operate and represent its members and nonmembers alike, a union relies almost exclusively on income consisting of regular dues payments by the workers it represents. That dependence is driven by the union's status as a nonprofit entity that does not engage in business activities—*unlike the private-sector employers it deals with, which may wield relatively huge resources*. Members pay the union periodic dues that *those* members determine.

Without the *collective buy-in* of my colleagues at UMaine, we would never have won our union authorization, and now that we have spent over a year bargaining with the UMaine System, it is all the more clear to me that the System would never allot the improvements we bargain over without overwhelming demand and show of power from our union.

Specifically, I remember when we first introduced our article on International Grad Worker Rights, the UMS bargaining team outright refused to engage or even read it. It was only through the joined voices of both national and international workers sharing testimony and demanding, that the UMS changed their tune. It was only the power of the union that made a difference here. Throughout our organizing efforts, we have relied on the power and solidarity not only within our union, but also on our allies in other unions (I'm thinking of the amazing people I've met in the Nurses, UMaine faculty and staff, Iron workers, and other unions). Fighting for

improvements in our workplace is already a difficult task – given the immense power an employer wields over the employed; and bills like this one aim to make it even worse.

Right to work legislation would place our government in a position where it is unfairly interfering with the freedoms of the Employer and Employees to negotiate together. Right to work legislation pro-ports to protect the individual freedoms of an employee; however, these freedoms - of joining or not, and of seeing that their contributions to the collective are directed where they see fit, are *already* enshrined. Rather, the true goal of Right to Work bills, including LD 187, is to weaken worker organizations as a whole. To damage the power of unions to effectively collective bargain.

For all these reasons, I urge the committee to vote ought not to pass on LD 187 and any bill that takes away the power of a worker's organization to improve the material conditions of its' members lives.

Thank you for your time.