

The a la carte Mentality and SB 11/HB 520 (so-called “Right to Work”)

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New Hampshire has long championed individual autonomy against concentrated economic and political power, and this value is enshrined in our cherished form of small-town, direct citizen participation government. Our resistance to concentrated power has at times manifested in collective action -- for example, the uprising against Aristotle Onassis' 1974 plan to build an oil refinery on Great Bay and the more recent challenges to the Northern Pass electric transmission line. However, a regrettable companion to individual autonomy is what I call the “a la carte mentality:” to expect to pay only for those government and private sector services we personally need at the present time without regard to our possible different future needs.

The latest reincarnation of so-called “right to work” legislation, SB 11 and HB 520, exemplifies the a la carte mentality. Far from preserving individual freedom as its proponents have trumpeted, this legislation erodes the ability of individuals to band together in collective action and resist concentrated economic and government power. Representing less than 10% of New Hampshire workers, labor unions in our state can themselves hardly be considered concentrated economic powers. On the contrary, they protect employees with long-term, vested interest in the success of their employers from being treated as “at will” employees subject to intimidation and coercion.

Dan Innis, my colleague on the UNH faculty and state senator who voted in favor of SB 11, understands “at will” employees from his several hospitality business ventures – an industry known, in fact, for its high employee turnover. Conversely, many New Hampshire businesses enjoy success because of their workers’ talent and hard work (including my former UNH engineering students), and these people want their committed investment in their employers to be respected and rewarded. Collective representation in the form of employee unions is one way to ensure that the symbiotic relationship of highly skilled employee and successful employer remains healthy.

The a la carte mentality, which SB 11/HB 520 would affirm in law, creates an “Every man and woman for themselves and the Devil take the hindmost” flight from collective responsibility for the health and well-being of the communities in which we work and raise our families. The great majority of us have accepted as the price of a civil, democratic society the payment for some services from which we don't immediately and personally benefit. If carried to its logical extension, the advocates

of the a la carte mentality should, for example, rally behind those critics of the federal government who withhold a portion of their income taxes that would be used to support overseas military adventures, yet I suspect they would not be so inclined.

We each pay some portion of the costs of services that we don't personally receive in the moment because we value the concept of the greater civic good, and we recognize that one day we may ultimately need those services ourselves. In this respect, fair share fees (or agency fees) paid by non-members of unions are like the premiums for an insurance policy: we hope we will never need to take advantage of the policy, but we're glad to have its protection as backup. I may grumble at my share of those costs, but I value democratic institutions at all levels and accept those costs as the price of maintaining the protection of true individual autonomy against the forces that would diminish it.

My challenge to the state representatives of the New Hampshire House is this: if you believe that greater concentration of economic power, unopposed by those subjected to it, upholds New Hampshire values, then vote for HB 520. However, if you and your constituents recognize that no individual can alone withstand concentrated economic and government power, and that an a la carte mentality only furthers those outside forces whose values are not consistent with New Hampshire's, then vote against HB 520 to reject those outside forces.

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