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# A CITIZEN'S GUIDE TO **POJA**

## THE 'PROTECT OUR JOBS' CONSTITUTIONAL AMENDMENT

A Ballot Proposal To Help  
Government Union Leaders  
Veto Laws Passed by Elected  
Representatives

BY F. VINCENT VERNUCCIO

## **What is POJA?**

The so-called Protect Our Jobs Amendment (POJA) is a proposal intended for the November ballot to amend Michigan's Constitution.

POJA would enshrine collective bargaining for both government and private-sector unions.

## **What would POJA do?**

Besides making it nearly impossible for Michigan to ever become a right-to-work state, POJA would give government union leaders the power to veto a multitude of laws passed by our elected representatives.

POJA would apply mostly to government unions, since private-sector unions are governed by federal law. The amendment would benefit only the roughly 3 percent of Michigan's residents who are in government unions — and in reality, the main benefit would be to the union bosses representing the 3 percent. The cost of their special benefits, however, would be paid for by everyone else.

## **How does POJA give union bosses a veto?**

The amendment clearly states:

“No existing or future law of the state or its political subdivisions shall abridge, impair or limit” unions’ ability to “negotiate in good faith regarding wages, hours, and other terms and conditions of employment. ...”

Aside from a couple exceptions, no state law past, present or future could limit what government union officials could win in labor contracts.

While this may sound innocent enough, it would fundamentally change the power structure in Michigan.

**POJA would make government unions a super-legislature, allowing them to overrule laws made by the elected representatives of the people.**

From Lansing to the hundreds of towns, cities and counties across the state, elected officials make laws controlling work rules, wages and benefits for government employees. These elected officials are responsible to voters and ideally protect voters' interests when drafting the laws.

POJA would make public employment laws moot because any collective bargaining agreement with government unions would have the power of the constitution and overrule state and local law. The only labor-related legislative power POJA leaves to the voters' elected representatives is making laws concerning strikes and setting minimum collective bargaining standards for government employees.

The consequences are far-reaching. Labor union heads, acting as a super-legislature, would have the ability to repeal at the bargaining table many of the government management reforms that have helped Michigan start to turn the corner after a decade of malaise. Elected representatives would be powerless to stop them.

**Unions would have an effective veto, but unlike the governor, they could veto laws enacted years ago, and no legislature could override them with a two-thirds vote.**



## **Can't elected officials restrain government unions at the bargaining table?**

Frequently, no.

Government unions and politicians have allied in a vicious circle. The unions give campaign contributions to the politicians. The politicians get elected and then negotiate generous contracts with the unions that supported them. The politicians also expand government, providing the unions with more dues-paying government employees.

The unions then have more money to give to friendly politicians for their next campaign. The politicians get re-elected, and the cycle goes on. Everyone wins — except for the taxpayers, who are stuck footing the bill.

## **Why are unions fighting so hard for POJA?**

Union bosses, especially government union bosses, feel their privileged status being threatened.

The gravy train is starting to end. Across the country, elected officials concerned about this vicious circle are passing laws that curb the special interests of government unions. These reforms begin once again to put taxpayers, workers and job creators first.

For organized labor officials, this is a threat. Their response is radical proposals like POJA, which would prevent further reforms and repeal numerous existing ones (see the following pages for examples).

The success or defeat of the amendment will have national repercussions. If the unions prevail in Michigan, they will likely initiate similar efforts in other states.

POJA supporters know how high the stakes are. They have already given over \$8 million dollars to the effort.

## **POJA would repeal or curtail a vast number of laws and reforms.**

- ▶ Government union contracts could overrule almost anything in the 107 sections and subsections of the Public Employment Relations Act.
- ▶ Government union contracts could reverse legislation protecting unionized workers from having to give money to union political causes without going through a burdensome and confusing “opt-out” process.
- ▶ Government union contracts could repeal pension reforms that have already helped Michigan taxpayers avoid as much as \$4.3 billion in government pension underfunding since 1996.
- ▶ Government union contracts could gut the “80/20 law,” which protects taxpayers from subsidizing no more than 80 percent of government-employee health care premiums. Repealing this law alone could cost the state more than \$500 million annually.
- ▶ Government union contracts could overrule the state’s Freedom of Information Act and open-meetings law — including the laws making those government union contracts public.
- ▶ POJA would immediately repeal binding arbitration laws, which mandate that public safety officers, who are forbidden to strike, rely on arbitrators to determine the final contracts when negotiations are at an impasse.



## **For education, the repeals would be even more far-reaching.**

- ▶ Public school spending reforms like privatization of noninstructional services could vanish.
- ▶ Tenure reform laws, such as the ability to remove poorly performing teachers, could be repealed.
- ▶ Government union contracts could rewrite “Last-In/First-Out” legislative reforms protecting talented new teachers from being laid off simply because they lack seniority.
- ▶ Government union agreements could end teacher evaluations and a district’s freedom to participate in school choice.
- ▶ POJA would allow unions to once again negotiate the government into becoming the bill collector for school employee union dues — including money for labor politics.

With all the power POJA would grant to school employee union bosses, it is no wonder that the Michigan Education Association and the American Federation of Teachers-Michigan have already given almost \$1 million in support of the proposal.

**POJA would repeal reforms that have helped Michigan start on the road to recovery.**

Michigan has a choice. It can be like Wisconsin and Indiana, attracting business and good jobs. Or it can be like Illinois and Ohio, granting power to special interests at the expense of its taxpayers — and even its future.

Michigan’s choice will be made when POJA’s fate is decided in the November election. ■



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His analysis and commentary has been published in a wide variety of major newspapers, magazines and blogs, such as Investor's Business Daily, The Washington Times, National Review, Forbes and The Daily Caller. He has frequently appeared on Fox and Friends and Varney and Company.

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