CALVIN COOLIDGE PRESIDENTIAL FOUNDATION

DEBATE BRIEF

Resolved: The United States federal government should repeal the Wagner Act.*

**Elimination of the Wagner Act assumes the elimination of all its amendments and restatements, including the Taft-Hartley Act of 1947.*

SPRING 2026

CONTENTS

BACKGROUND

INTERPRETING THE RESOLUTION

Remaining topical is essential in Coolidge debate. Competitors who go off topic will not be successful. Importantly, do not make the debate about the wording of the resolution. Citizen judges seek persuasive arguments about the topic, not a clever dissection of the resolution's wording. Debaters should focus on the topic's central conflicts.

The resolution prompts debaters to examine the net benefits of abolishing the Wagner Act, also known as the National Labor Relations Act of 1935. ***This resolution assumes the repeal of the Wagner Act would mean the repeal of all its subsequent amendments and restatements, including the Taft-Hartley Act of 1947.*** By stating plainly and unqualifiedly "repeal the Wagner Act," the resolution refers to the whole text, including removing its protections, union frameworks, enforcement mechanisms, and the National Labor Relations Board. Partial repeal cases do not fulfill the burden that the resolution imposes on the affirmative.

Public-sector unions are also in the news. These are unions that represent government workers, including, for example, teachers, police, firefighters, air traffic controllers, etc. These public-sector unions are not the topic of this debate. Instead, this resolution asks debaters to consider the proper role of the federal government in *private-sector* employee rights and collective bargaining.

It would be unwise to interpret this resolution as implying that the United States' labor policy would not substantially change in an affirmative world. Under such a weak interpretation, what would be the purpose of repealing the Wagner Act? Merely shifting the underlying statutory basis for existing agencies and regulations is not what animates advocates of its repeal, nor should debaters assume or advocate that states take action to replace the Wagner Act with identical laws.

NOTABLE QUOTATIONS

"It is declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedure of collective bargaining and by protecting the exercise by workers of full freedom of association, self- organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection."

— National Labor Relations Act, July 5, 1935, 29 U.S.C. §§ 151-169[1]

"The enactment of this measure will clarify the industrial atmosphere and reduce the likelihood of another conflagration of strife such as we witnessed last summer. It will stabilize and improve business by laying the foundations for the amity and fair dealing upon which permanent progress must rest."

— Senator Robert Wagner (D-NY), introducing the Wagner Act, February 21, 1935[2]

"A better relationship between labor and management is the high purpose of this Act. By assuring the employees the right of collective bargaining it fosters the development of the employment contract on a sound and equitable basis. By providing an orderly procedure for determining who is entitled to represent the employees, it aims to remove one of the chief causes of wasteful economic strife. By preventing practices which tend to destroy the independence of labor, it seeks, for every worker within its scope, that freedom of choice and action which is justly his."

— President Franklin D. Roosevelt, signing the Wagner Act, July 5, 1935[3]

"Labor is not fighting for a larger slice of the national pie. Labor is fighting for a larger pie."

— Walter Reuther in The New Republic, Vol. 114 (1946)[4]

[1] National Labor Relations Act, 29 U.S.C. §§ 151–169 (1935).
[2] Wagner, R. F. (1935, February 21). Speech on the National Labor Relations Act (Congressional Record, 74th Cong., 1st Sess., Vol. 79, pp. 2371–2372). https://web.mit.edu/21h.102/www/Primary%20source%20collections/The%20New%20Deal/Wagner,%20National%20Labor%20Relations%20Act.htm
[3] FDR Presidential Library & Museum. (n.d.). FDR and the Wagner Act. Franklin D. Roosevelt Presidential Library & Museum. https://www.fdrlibrary.org/wagner-act
[4] Reuther, W. P. (1946). GM v. the rest of us. *The New Republic*, *114*, 41.

"There cannot be wrung from a constitutional right of workers to assemble to discuss improvement of their own working standards, a further constitutional right to drive from remunerative employment all persons who will not or cannot participate in union assemblies."

— Justice Hugo Black, in Lincoln Federal Labor Union No. 19129 v. Northwestern Iron & Metal Co., 335 U.S. 525 (1949), a case that upheld the Taft-Hartley Act[5]

"This is a fight for a civil right—the right of people to work without paying tribute to an organization or a despotic leader."

— Senator Everett Dirksen (R-IL), in his filibuster to prevent the repeal of Section 14(b) of the Taft-Hartley Act, 1965 [6]

"Americans are more out-of-date and ill-informed concerning the realities of the labor movement in the U.S. than they are in any other area of public interest."

— Donald Richberg, Executive Director of the National Industrial Recovery Board and author, Compulsory Unionism: The New Slavery (1972)[7]

[5] Lincoln Federal Labor Union No. 19129 v. Northwestern Iron & Metal Co., 335 U.S. 525 (1949)
[6] Shlaes, A. (2019). *Great Society: A new history*. Harper.
[7] Richberg, D. R. (1972). *Compulsory unionism: The new slavery*. Devin-Adair.

CONTEXT AND HISTORY

The basis of work is a contract. A worker supplies the work. An employer pays the worker wages and other benefits. But without unions, a worker unhappy with conditions at work often has only one option: to end the contract and quit. In search of more power, for many hundreds of years, workers have demanded the right to associate and bargain collectively—as a group—through a union.

As Americans moved from farms into factories in the late 1800s, they pushed for a law to guarantee them collective bargaining rights. With or without unions, workers battled with employers. Over the years, the federal government became friendlier to unions. In the first years of the 1900s, President Theodore Roosevelt gave unions and workers new status when he chose to broker an agreement between coal mine owners on the one hand and coal workers on the other.

The Coolidge Context

As a young politician in Massachusetts, Calvin Coolidge supported a number of pro-union state laws. His party, the Republican Party, was then known as the more progressive party. In 1912, fellow lawmakers dispatched Coolidge to study and review a strike by textile workers in Lawrence, Massachusetts. Coolidge worked hard to understand their grievances but grew weary of the theatrics of the strikers. He concluded that the strikers did not truly seek a settlement; instead, they wanted political power. "The leaders there are socialists and anarchists, and they did not want anybody to work for wages. The trouble is not about the amount of the wages," he wrote his stepmother, "it is a small attempt to destroy all authority, whether of any church or government."[8]

This debate resolution addresses unions in the private sector, not unions of workers employed by the government. Public sector unions are not the debate topic. Nonetheless, two stories related to Calvin Coolidge are worth noting.

The first is that, in September 1919, during his first term as governor of Massachusetts, Coolidge found himself involved in what would be known as one of the most famous—or infamous—labor battles of American history. In many cities, public-sector workers were striking. Inflation was driving up costs, and worker pay was not keeping pace. Boston was not immune: A public-sector group, the Boston police, walked out on strike. The police officers' contract did not permit strikes. Yet the police, who were clearly underpaid, chose to strike nonetheless. Riots ensued; looting as violent as any today destroyed many shops in downtown Boston.

[8] Shlaes, A. (2013). *Coolidge* (p. 116). Harper.

Many expected that Coolidge would support the police. Yet after some tough deliberation, the governor chose to back up the police commissioner, who had fired the police officers. "There is no right to strike against the public safety, by anybody, anywhere, any time," Coolidge said. Perhaps to Coolidge's surprise, even the President, Woodrow Wilson, backed him. It was the Boston police strike, Coolidge later recalled, that "without a doubt" won him national attention and resulted in his nomination on the presidential ticket the following year.

As for private-sector unions, as a politician, Coolidge was occasionally active—the Lawrence, Massachusetts strikes he studied as a young state lawmaker are an example. Often, he took the union side. As governor, he signed legislation supported by unions limiting the work week for women.[9]

Overall, Coolidge was an astute observer of labor issues. Reflecting on his career, Coolidge writes in his *Autobiography* that, "in later years I came to see that what was of real importance to the wage earners was not how they might conduct a quarrel with their employers, but how the business of the country might be so organized as to insure steady employment at a fair rate of pay. If that were done there would be no occasion for a quarrel, and if it were not done a quarrel would do no one any good."[10]

The Railway Labor Act

In the 1920s, Congress enacted the Railway Labor Act, or RLA, an early federal effort to create a structured framework for labor relations in a critical national industry. This 1926 law, signed by President Coolidge, is the predecessor of the Wagner Act.[11] The RLA governs labor relations in the railroad industry and promotes collective bargaining, mediation, arbitration, and cooling-off periods.[12] The concession to railroad owners was that institutionalizing all these measures and other statutes in the law came with the tradeoff of restricting strike actions. Written at a time when highways were in their infancy, this law addressed the single most important industrial sector of its day. In the 1930s, Congress expanded the Railway Labor Act to cover airline workers as well. If a dispute by railway or airline workers threatens national transportation, the President can appoint an emergency board to propose a settlement. If this fails, Congress has the power to step in and legally force a contract on the parties—a power it exercised as recently as 2022 to avert a national rail strike.

[9] Roll Call: The 1919 Boston Police Strike. (n.d.). *Timeline of the 1919 Boston Police Strike*. https://www.bpstrike1919.org/timeline/
[10] Coolidge, C. (2021). *The autobiography of Calvin Coolidge: Authorized, expanded, and annotated edition* (A. Shlaes & M. Denhart, Eds., p. 62). Gateway Editions/Regnery Publishing.
[11] Federal Railroad Administration. (n.d.). *Highlights of the Railway Labor Act: Overview* [PDF]. U.S. Department of Transportation. https://railroads.dot.gov/sites/fra.dot.gov/files/fra_net/1647/Railway%20Labor%20Act%20Overview.pdf
[12] Compa, L. (n.d.). *An overview of collective bargaining in the United States*. Cornell University Library, eCommons. https://ecommons.cornell.edu/server/api/core/bitstreams/4cea305f-41bd-40b3-b597-4885de192dd6/content

In November 2022, Congress used the Railway Labor Act to intervene in a national rail labor dispute for the first time since the 1990s.[13]

The Great Depression and the Wagner Act

In the early 1930s, unemployment hit 25%.[14] As a response, the new president, Franklin D. Roosevelt, joined Congress in dramatically expanding government regulation of the economy. Roosevelt's drive, which he called "the New Deal," posited that giving workers more power in the workplace would restore economic growth.

The first great push to support industrial workers came in the National Industrial Recovery Act, or NIRA, a 1933 law that instituted many controls on business, including minimum wages. This 1933 Act contained language supportive of collective bargaining: "Employees shall have the right to organize and bargain collectively…and shall be free from the interference, restraint or coercion of employers."[15]

After the Supreme Court struck down the National Industrial Recovery Act—mainly for reasons unrelated to unions—**Senator Robert Wagner** of New York led Congress in passage of another law, the National Labor Relations Act of 1935. This law came to be known as the Wagner Act. The Wagner Act protected "the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid and protection."[16] The Wagner Act established a separate authority—nearly a separate legal

[13] Jiang, H. (2022). *Protesters demonstrate in support of rail workers outside the U.S. Capitol* [Photograph]. *The New York Times.* https://www.nytimes.com/2022/11/30/us/politics/rail-workers-strike-house.html
[14] Franklin D. Roosevelt Presidential Library and Museum. (n.d.). Great Depression facts. https://www.fdrlibrary.org/great-depression-facts
[15] National Labor Relations Act, 29 U.S.C. § 157 (1935) https://catalog.archives.gov/id/2998Act4
[16] National Labor Relations Act, 29 U.S.C. § 157 (1935) https://catalog.archives.gov/id/2998Act4

system—via the National Labor Relations Board, or NLRB. The NLRB is a permanent, independent federal agency that enforces the law's provisions and protects the union rights of private sector employees. The Wagner Act applied to all workers except those in the railroad or airline industries (protected by the Railway Labor Act of 1926), the agricultural industry, and government-sector workers.[17]

President Franklin D. Roosevelt signs the Wagner-Peyser unemployment bill on June 6, 1933, at the White House. Standing (left to right) are Rep. Theodore A. Peyser of New York, Secretary of Labor Frances Perkins, and Sen. Robert Wagner of New York.[18]

The Wagner Act established procedures under which a union could come to represent a company's workers. Under the Act's provisions, when thirty percent of workers expressed their support for a union election—that is, an election to vote whether a union should be organized at the company—the NLRB would schedule and administer the election. A majority of those voting in the union election would determine the outcome, as opposed to a majority of all workers. That is to say, those who do not vote in the union election are not counted in the denominator. For a union to be certified, it needs to receive only a majority of those actually casting ballots, rather than the majority support of all workers it would subsequently represent. If the pro-union side prevailed, the law granted the union **exclusive representation** rights to represent workers in collective bargaining negotiations with the company's management. This means the workers themselves are not allowed to negotiate their own contracts with the company once the union is certified. Nor are other unions permitted to represent the company's workers. With the creation of a union, the company becomes bound to negotiate in good faith.

[17] FDR Presidential Library & Museum. (n.d.). *FDR and the Wagner Act*. Franklin D. Roosevelt Presidential Library & Museum. https://www.fdrlibrary.org/wagner-act
[18] Associated Press. (1933, June 6). *President Roosevelt signs the Wagner-Peyser unemployment bill* [Photograph].

At the time of the Wagner Act's adoption in 1935, unions could arrange several types of limitations. The first, referred to as the **closed shop**, dictated that a prospective hire must be a member of the union to be considered for employment. The second was known as the **union shop**, which allowed nonunion members to be hired, provided that they join the union and pay union dues within a specified time period. The third was known as the **agency shop**, which allowed that workers need not be official union members, but they must pay an amount up to the full union dues to remain employed. The rationale was that since the union negotiated on behalf of employees, the employees needed to pay for that service.

Labor Conflict and Postwar Backlash

As the prevailing federal law, the Wagner Act shaped labor relations during World War II and the post-war period. In 1946, the country experienced a wave of strikes involving more than four million workers, affecting critical industries like coal, steel, and transportation.[19] Understandably, public sentiment disfavored unions and saw their use of organizing and strikes as too powerful, influential, and disruptive to American life.

In response, Congress passed a bipartisan effort to limit union power with the **Taft-Hartley Act of 1947**. One labor leader dubbed Taft-Hartley the "slave labor bill."[20] President Truman vetoed the legislation, but Congress overrode Truman's veto. Taft-Hartley outlawed the closed shop—those rules that effectively required employees to become union members even before they applied for a job, and then, in addition, required all hires to be union members. Taft-Hartley also banned certain other labor practices on the part of unions, including secondary boycotts and sympathy strikes—when another union, working in another field, joins the first union in a strike to increase political pressure on the first company.

Section 14(b) Right-to-Work

Section 14(b) of Taft-Hartley, little-remarked-upon at the time, provided an opt-out opportunity for states. "Right-to-work," as the section is known, allowed states to pass their own laws whereby workers who did not belong to the union could opt out of paying union dues. Thus, in right-to-work states, workers might collect the same wages and benefits as unionized workers without joining the union or supporting it financially. This created what opponents argue is a free-rider problem: nonunion workers collect all the benefits of unions' negotiations, such as higher pay or pensions, without contributing their share to union work to receive those benefits.

[19] National Labor Relations Board. (2015). *The Wagner Act years, 1935–1947: 80th anniversary commemorative edition*. NLRB. hopt-outttps://www.nlrb.gov/sites/default/files/attachments/basic-page/node-1536/NLRB%2080th%20Anniversary.pdf
[20] Barrel No. 2. (1947). *TIME Magazine*, *49*(25), 17–18.

Some states had begun experimenting with policies like Taft-Hartley even before its passage, and after the Act provided a framework, many state legislatures opted for right-to-work provisions. By 2024, 26 states and one territory operated under the easier right-to-work rules: Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Nebraska, Nevada, North Carolina, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, Wisconsin, Wyoming, and Guam.[21]

Finding production costs in heavily unionized states to be more expensive, many companies began to relocate to the right-to-work states where state laws prohibited union and agency shop provisions and kept labor costs lower.[22] Over time, unions lost so much in dues that they came to rate Section 14(b) and right-to-work as an existential threat. George Meany, President of the AFL-CIO, America's most important private-sector union, labeled the right-to-work provision "most iniquitous" in 1964.[23] That year, Democrats placed repeal of 14(b) on the Democratic agenda. Yet after victory, President Lyndon B. Johnson and Congress found they could not marshal the votes for repeal of right-to-work. Senator Everett Dirksen of Illinois, a Republican who had backed Johnson on civil rights measures, filibustered right-to-work repeal, saying, "No true liberal modern or otherwise can fail to stand up for the right of the individual to make his own choice in the matter [of joining a union]."[24] Johnson left office without winning repeal.

In the decades that followed, a natural experiment emerged. Those states that kept strong unionization—the core principle of the Wagner Act—saw higher wages, but less growth. Right-to-work states, states with legal cultures closer to that of pre-Wagner America, saw generally lower wages and more job creation.

Unions today remain a powerful force in politics. Yet membership in the United States has receded dramatically from its 1953 peak.[25] By 2024, private sector union membership had fallen to 5.9% despite recent efforts to organize employees at large corporations like Amazon and Starbucks, among others.[26,27,28] The question of whether unions benefit or harm American workers in the private sector remains a source of tension and debate today.

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[21] National Right to Work Legal Defense and Education Foundation, Inc. (n.d.). Right to Work states. https://www.nrtw.org/right-to-work-states/
[22] Loomis, E. (2022, June 20). Labor and Unions since 1960. *Oxford Research Encyclopedia of American History*. https://oxfordre.com/americanhistory/view/10.1093/acrefore/9780199329175.001.0001/acrefore-9780199329175-e-962.
[23] *Shreveport Journal*. (1964, November 25). p. 1.
[24] Hulsey, B. (2000). *Everett Dirksen and his presidents: How a Senate giant shaped American politics* (p. 219). University Press of Kansas.
[25] Reder, M. W. (1988). The rise and fall of unions: The public sector and the private. *Journal of Economic Perspectives, 2*(2), 89–110. https://doi.org/10.1257/jep.2.2.89
[26] U.S. Bureau of Labor Statistics. (2025, February 27). *Weekly earnings of nonunion workers were 85 percent of union members' earnings in 2024. The Economics Daily*. https://www.bls.gov/opub/ted/2025/weekly-earnings-of-nonunion-workers-were-85-percent-of-union-members-earnings-in-2024.htm
[27] Associated Press. (2024, June 18). *Amazon Labor Union workers vote overwhelmingly in favor of an affiliation with the Teamsters*. NPR. https://www.npr.org/2024/06/18/g-s1-4989/amazon-union-teamsters-join-forces
[28] Walter, K., & Madland, D. (2025, October 28). *The fight to unionize Starbucks, by the numbers*. Center for American Progress. https://www.americanprogress.org/article/the-fight-to-unionize-starbucks-by-the-numbers/

GLOSSARY

Bargaining unit – a group of employees in a workplace who meet the legal test of "sufficient community of interest" to be represented by the union. Laws exclude managers and supervisors from participation in any bargaining unit.[29]

Collective bargaining – a formal process of negotiation between an employer and a group of employees organized as a union to establish a written contract. This agreement typically covers wages, hours, benefits, and working conditions.

Commerce – the movement, exchange, or sale of goods, services, and transportation between states or countries.

Exclusive representation – The Wagner Act provision that a labor union has the sole authority to negotiate on behalf of workers at a unionized company. The key implication is that individual employees may *not* bargain separately with their employer once a union is certified, nor may other unions represent workers at that company.

Fair Labor Standards Act – U.S. federal law passed in 1938 establishing minimum wage, overtime pay (time-and-a-half for over 40 hours/week), and child labor restrictions. It applies to most private and public employees.

Featherbedding – when unions require employers to hire more workers than needed or maintain unnecessary positions, often leading to increased costs for the employer and reduced efficiency. Considered an unfair labor practice under U.S. law.

Good faith negotiation – the legal requirement that both parties in collective bargaining meet with an honest intent to reach an agreement. It forbids stalling tactics.

Grievance procedure – a formalized, step-by-step process outlined in a labor contract to resolve disputes regarding the interpretation or application of that contract.

Labor dispute – disagreement about the terms, length, or conditions of employment.

Labor organization – any group, agency, or employee representation committee in which workers participate for the purpose of dealing with employers concerning grievances, labor disputes, wages, or working conditions.

National Labor Relations Act (NLRA) – another name for the Wagner Act.

[29] Compa, L. (n.d.). *An overview of collective bargaining in the United States*. Cornell University Library, eCommons. https://ecommons.cornell.edu/server/api/core/bitstreams/4cea305f-41bd-40b3-b597-4885de192dd6/content

National Labor Relations Board – an independent federal agency established in 1935 under the Wagner Act that enforces the Wagner Act by investigating and adjudicating allegations of wrongdoing brought by workers, unions, or employers. It also conducts elections and decides and resolves cases. Board members, of five-year terms, and the General Counsel, of four-year terms, are appointed by the President with the consent of the Senate.

Railway Labor Act – passed in 1926 by President Coolidge, the RLA governs labor relations in the railroad industry and seeks to prevent strikes by promoting collective bargaining, mediation, arbitration, and installing cooling-off periods. In 1936, the law expanded to cover airline workers.

Right-to-work – a provision in the 1947 Taft-Hartley Act that allows states to opt out of the most rigid union rules. States can pass legislation that prohibits agreements between unions and employers that make union membership or the payment of union dues a condition of employment. In right-to-work states, an employee can benefit from a union contract without being required to pay for its negotiation or administration. It is also easier for an employer to reject unionization.

Taft-Hartley Act – an amendment to the Wagner Act passed in 1947. Taft-Hartley attempted to balance the law by placing restrictions on union activities. It allowed states to pass right-to-work laws, which permit employees *not* to pay union dues. The union still represents employees who opt out of paying union dues in right-to-work states. It also prohibited closed shops and defined unfair labor practices for unions, not just employers.

Types of private-sector workplaces

> **Closed shop** – a workplace where prospective employees must be members of a specific union to be considered for employment. This was deemed an unfair labor practice and banned by the Taft-Hartley Act of 1947.
>
> **Union shop** – a workplace in which workers are required to become union members and pay union dues within a certain time period after they are hired.
>
> **Agency shop** – a workplace in which employees are not required to be members of a labor union, but are required to pay dues, or an "agency fee," to the union. Agency shops are frequent in states without right-to-work laws.

Unfair labor practice – actions of either the employer or union that are prohibited by the Wagner (National Labor Relations) Act or the Taft-Hartley Act. Banned employer actions include 1) interference with employees' concerted activity, 2) employer domination of a labor organization, 3) discrimination against workers for union activity, 4) retaliation against workers for filing unfair labor practice charges or giving testimony in NLRB proceedings, and 5) refusal to bargain. Examples of prohibited union activities include 1) featherbedding, 2) requirement of excessive dues, 3) refusal to bargain, and 4) restraint or coercion of workers in the exercise of their rights, 5) secondary strikes and sympathy boycotts.

Union – an organized association of workers formed to protect and further their rights and interests through collective action. It acts as a single legal entity to negotiate with employers.

Union labor – skilled workers who are members of trade unions.

Wagner Act – the foundational federal law that protects the rights of private-sector employees to organize into unions, engage in collective bargaining, and take collective action like strikes. The Wagner Act grants a union, once certified, exclusive representation rights for workers in collective bargaining negotiations with their employers. The Wagner Act also established the National Labor Relations Board. Sponsored by Senator Robert Wagner of New York, the law, of course, has a formal name: the National Labor Relations Act.

AFFIRMATIVE

1. Repeal of the Wagner Act would expand the successful right-to-work experiment.

The Taft-Hartley Act of 1947 opened a window into the possibilities of the United States economy without the Wagner Act. States that took advantage of that window look promising, as there are significant disparities in states with strong unions vs. states with right-to-work laws.

The Wagner Act raises the operational costs of businesses that are unionized, making them less competitive, especially in industries with rival producers in other states or countries. Economist Richard Vedder finds that states with weaker compulsory union frameworks tend to experience stronger employment growth and business formation. Reviewing decades of state-level data, Vedder concludes that right-to-work laws are associated with faster employment growth and improved labor-market efficiency. [30]

Key Point: states that adopted a right-to-work law after 2000 had a 20.7% higher share of manufacturing employment than they would have without such a law.

From 2014 to 2024, the top six states for gains in employment were all right-to-work states: Utah, Idaho, Arizona, Nevada, Texas, and Florida experienced 20-30% employment gains.[31] An April 2022 Mackinac Center for Public Policy study found "states that adopted a right-to-work law after 2000 had a 20.7% higher share of manufacturing employment than they would have without such a law."[32]

Non-right-to-work states, New York and California, both lost 0.61% of their population to right-to-work states, where the cost of living is lower. The National Institute for Labor Relations Research finds "as a group, forced-unionism states are 22.8% more expensive to live in than right-to-work states."[33]

Right-to-work laws affect more than just job creation. They also raise workers' incomes. Expanding on the improved economic well-being of workers in right-to-work states, the National Institute for Labor Relations Research analyzed U.S. Department of Commerce, Bureau of Economic Analysis data to find that, from 2014

[30] Vedder, R. K. (2010). *Right-to-Work laws: Liberty, prosperity, and quality of life* (Cato Journal, Vol. 30, No. 1). Cato Journal. https://ssrn.com/abstract=2256469
[31] National Right to Work Legal Defense and Education Foundation, Inc. (2025, May 6). *Right to Work winning by more than 2:1.* https://nrtwc.org/right-to-work-winning-by-more-than-21/
[32] Wetzel, H. (2022, April 18). *Manufacturing employment share 20% higher in right-to-work states.* Mackinac Center for Public Policy. https://www.mackinac.org/pressroom/manufacturing-employment-share-20-higher-in-right-to-work-states
[33] National Institute for Labor Relations Research. (2025, April 25). *Lower cost of living makes workers better off.* https://nilrr.org/lower-cost-of-living-makes-workers-better-off/

to 2024, workers in right-to-work states enjoyed 32.7% growth in disposable personal income compared to 24% growth in non-right-to-work states. Adjusted for cost of living, that works out to $62,954 for employees in right-to-work states compared to $60,069 for those in non-right-to-work states.[34]

The Top Six States Gaining in Employment are all Right-to-Work States, 2014-2024[35]

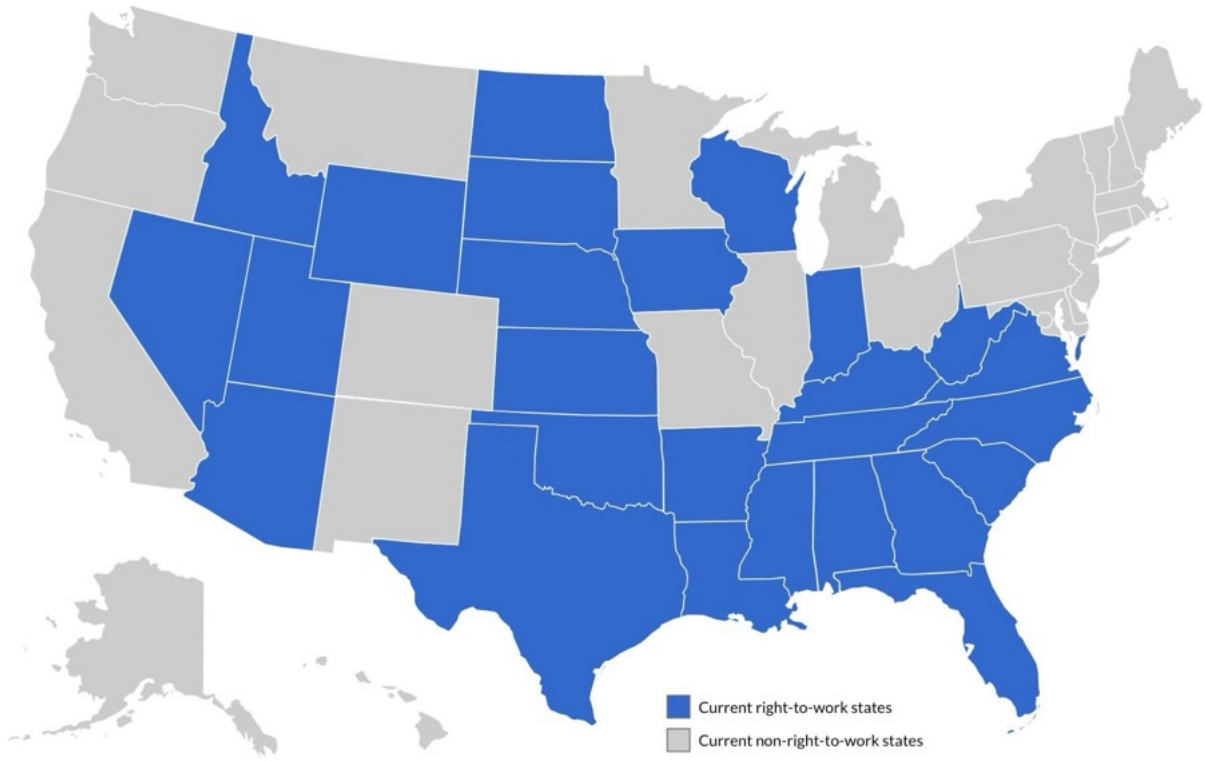
1. Utah	29.4%
2. Idaho	29.3%
3. Arizona	26.8%
4. Nevada	22.9%
5. Texas	21.6%
6. Florida	21.3%

While right-to-work laws are not equivalent to full repeal, they provide a real-world test case showing that reducing compulsion can alter economic incentives. The right-to-work provisions of Taft-Hartley have allowed states to liberalize labor markets partially, but only if they adopt additional legislation. Repealing the Wagner Act would go further by removing federal protections that entrench unions' monopoly powers nationwide. In a post-repeal environment, all private-sector workers would be able to freely pursue employment opportunities without being constrained by exclusive-representation rules. Greater flexibility in hiring and work arrangements would lower barriers to employment and expand job opportunities, particularly in sectors like utilities, transportation, and warehousing, where unions currently exert substantial influence.

Still, it is important to note that even under current law, unions cannot compel individuals to become members, a principle affirmed by the Supreme Court in 1963.[36] However, workers may still be required to pay union dues and are subject to unions' exclusive representation in wage and dispute negotiations with their employers, meaning unions act on behalf of workers who neither join nor support them financially. Repealing the Wagner Act would eliminate this system of compulsory representation, strengthen freedom of association, and create more dynamic labor markets that generate more jobs.

[34] National Institute for Labor Relations Research. (2026, January). *Right to Work benefits fact sheet: Winter 2026.* https://nilrr.org/wp-content/uploads/2026/01/2026_winter-fact-sheet_published.pdf
[35] National Right to Work Legal Defense and Education Foundation, Inc. (2025, May 6). *Right to Work winning by more than 2:1.* https://nrtwc.org/right-to-work-winning-by-more-than-21/
[36] National Labor Relations Board v. General Motors Corporation. (n.d.). *Oyez.* https://www.oyez.org/cases/1962/404

Mapping the 26 Right-to-Work States[37]



Right-to-work states and territories currently include Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Nebraska, Nevada, North Carolina, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, Wisconsin, Wyoming, and Guam.

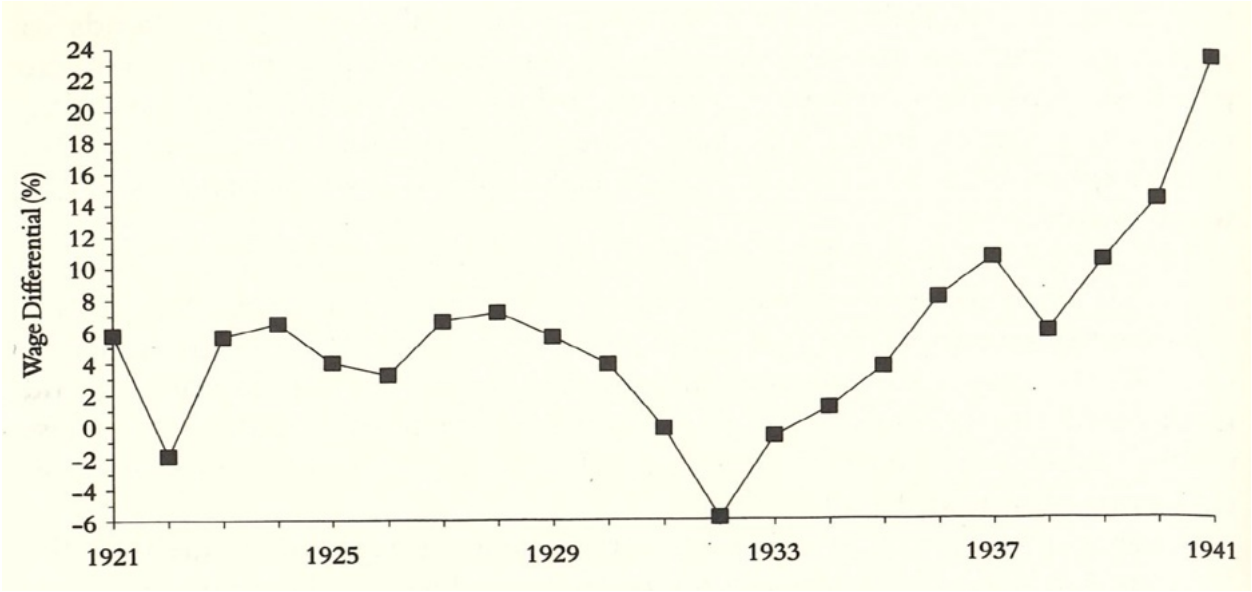
2. Repeal of the Wagner Act would eliminate a job killer.

The Wagner Act kills jobs by making employment too expensive. In downturns, business slows. In every downturn that preceded the Wagner Act—and there were many—employers confronted a choice between two unpopular moves: lowering wages or laying people off. Often, the employers chose the former, because it seemed less painful for both sides. After the Wagner Act became law in 1935, employers did not have the "lowering wage" option. Union contracts locked in wages at higher levels.

Economists Richard Vedder and Lowell Gallaway found that in the years following the Wagner Act's passage, wages for workers in heavily unionized industries grew relative to those in less unionized sectors. By the early 1940s, just five years after Wagner took effect, average wages in the unionized industries were some 20 percent higher, even though these industries had only had around 4 or 5 percent higher average wages before the law.[38]

[37] National Right to Work Legal Defense and Education Foundation, Inc. (n.d.). *Right to Work states.* https://www.nrtw.org/right-to-work-states/
[38] Vedder, R. K., & Gallaway, L. E. (1997). *Out of work: Unemployment and government in twentieth-century America*. New York University Press.

Wage Differential Between Predominantly Unionized and Nonunionized Industries: Before and After the Wagner Act[39]



This graph of wage data shows that wages in unionized industries grew rapidly relative to nonunionized industries after the passage of the Wagner Act in 1935.

With wages mandated at high levels, employers during the Great Depression took the second option: they laid people off. Or, they moved slowly to rehire. Vedder and Gallaway conclude that, among the many policy impacts on unemployment, unionization was the "more important cause of prolonged high unemployment" in the Great Depression years.[40] Unemployment rose to 15% in some places in the late 1930s, a level unimaginable today. The Wagner Act, it is fair to say, helped to put the "Great" in Great Depression.[41]

A few years later, World War II efforts forced unions and businesses to partner together in production in a way that they had not previously had to. Postwar business consolidated union power and spilled over into public-sector unionism in the early 1960s. The end of WWII and absorption of veterans into domestic work increased productivity but reduced overtime hours, increased unemployment, and raised prices. Nationwide strikes by 4.5 million workers in every vital industry followed: coal, oil, auto, electrical, telephone, steel, and ports. Strikes ended once unions won a wage increase, but industry leaders raised prices on consumers to afford the wages, leading to a wage-price spiral.[42] Inflation hit 18% in 1946 and 14% the following year, leading to the passage of the Taft-Hartley Act of 1947.

[39] Vedder, R. K., & Gallaway, L. E. (1997). *Out of work: Unemployment and government in twentieth-century America*. New York University Press.
[40] Vedder, R. K., & Gallaway, L. E. (1997). *Out of work: Unemployment and government in twentieth-century America*. New York University Press.
[41] Cole, H. L., & Ohanian, L. E. (2004). New Deal policies and the persistence of the Great Depression: A general equilibrium analysis. *Journal of Political Economy, 112*(4), 779–816. https://doi.org/10.1086/421169
[42] U.S. Department of Labor. (n.d.). *Chapter 6: The Wagner Act and the postwar strike wave*. U.S. Department of Labor. https://www.dol.gov/general/aboutdol/history/chapter6

The phenomenon of businesses cutting jobs when union contracts raise production costs to unacceptably high levels is alive and well. Consider the example of UPS, which cut 48,000 jobs in 2024, and plans to cut another 30,000 jobs in 2025 while also pursuing additional automation.[43] While many of these cuts were managerial and operational positions that were not unionized, UPS faces significant increases in expenses after agreeing to a 2023 contract with the Teamsters union that "raised average compensation for full-time drivers to $170,000 from $145,000 over five years and provided zero-premium health benefits."[44] Zooming out from UPS to all businesses with unionized workers, a Mercatus Center meta-analysis of 147 studies concluded that excessive union demands make firms more likely to downsize or shut down, ultimately leading to job losses and lower overall employment for unionized workers.[45]

Key Point: Excessive union demands make firms more likely to downsize or shut down, ultimately leading to job losses and lower overall employment for unionized workers.

During their next union contract negotiations or economic downturn, it would be to the benefit of employers and workers alike to have more flexibility when it comes to wages. As the Great Depression and post-WWII examples illustrate, when unions force wages to be high, painful unemployment ensues, and inflation often also results. Repealing the Wagner Act would allow wages to adjust naturally with economic conditions, keeping more Americans employed and putting the economy on a faster track to recovery.

3. Repeal of the Wagner Act would again make union membership voluntary, benefiting individual laborers and unions themselves.

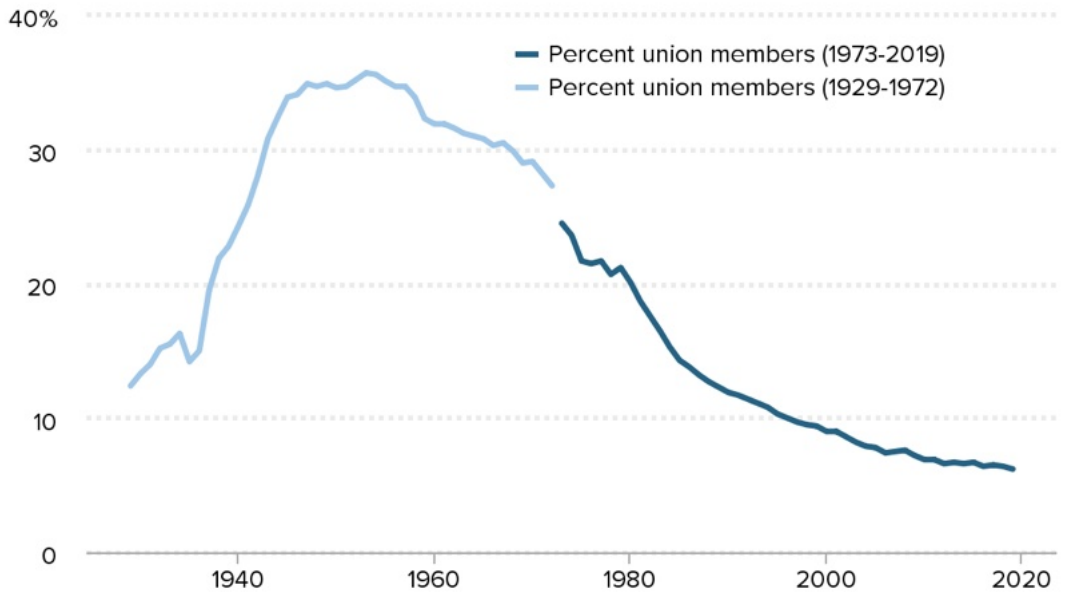
In the early decades of the 20th century, many labor leaders advocated for voluntary unionism, not the mandatory union system established by the Wagner Act. The influential labor leader Samuel Gompers warned that compulsory unionism undermined labor's moral authority, arguing that unions should not turn to compulsion to achieve their goals.[46] The Wagner Act undermined the freedom of individuals and businesses to make their own voluntary contracts by imposing government-mandated bargaining procedures and allowing unions to compel membership once a new employee is hired.

[43] CNBC. (2026, January 27). *UPS to cut additional 30,000 jobs in Amazon unwind, turnaround plan*. https://www.cnbc.com/2026/01/27/ups-job-cuts-amazon-unwind-turnaround-plan.html
[44] Wall Street Journal. (2026, January 29). *More Teamster job casualties at UPS* [Opinion]. *The Wall Street Journal*.https://www.wsj.com/opinion/ups-layoffs-teamsters-union-sean-o-brien-carol-tome-5dcdd7b6?reflink=desktopwebshare_permalink
[45] Palagashvili, L., & Sharfuddin, R. (2025). *Do more powerful unions generate better pro-worker outcomes?* (Mercatus Working Paper). Mercatus Center at George Mason University. https://www.mercatus.org/research/working-papers/do-more-powerful-unions-generate-better-pro-worker-outcomes
[46] Gompers, S. (1956, March 1). *The voluntary basis of trade unionism*. Foundation for Economic Education. https://fee.org/articles/the-voluntary-basis-of-trade-unionism/

If unions must recruit members without the law forcing their fellow employees to join, they will be more responsive to what workers really want. Unions could still exist, but would be required to be competitive, consumer-oriented organizations responding to member interests. If the United States federal government repealed the Wagner Act, unions would no longer be legally protected monopolies. Instead, they would be forced to become competitive, service-oriented groups, which would make them more accountable and less likely to alienate workers.[47]

Without the exclusive representation and good-faith bargaining mandates, employers could find and hire workers solely based on mutual agreement rather than through a government-regulated intermediary.[48]

U.S. Private Sector Union Membership Rate 1929-2019[49, 50, 51]



Notes: There is no definitive, fully time-consistent series on union membership as a share of employment. Figures for 1929–1972 were compiled by Troy and Sheflin (1985, Appendix A) from union financial reports; those for 1973 forward are compiled from Current Population Survey (CPS) household data (Hirsch and Macpherson, 2003, updated at http://www. unionstats.com). 1973–76 CPS figures adjusted to account for association members, who are included both in the Troy-Sheflin series and in the CPS beginning in 1977. 1973 CPS figure adjusted so that 73/77 CPS ratio equals 73/77 ratio in Troy and Sheflin.

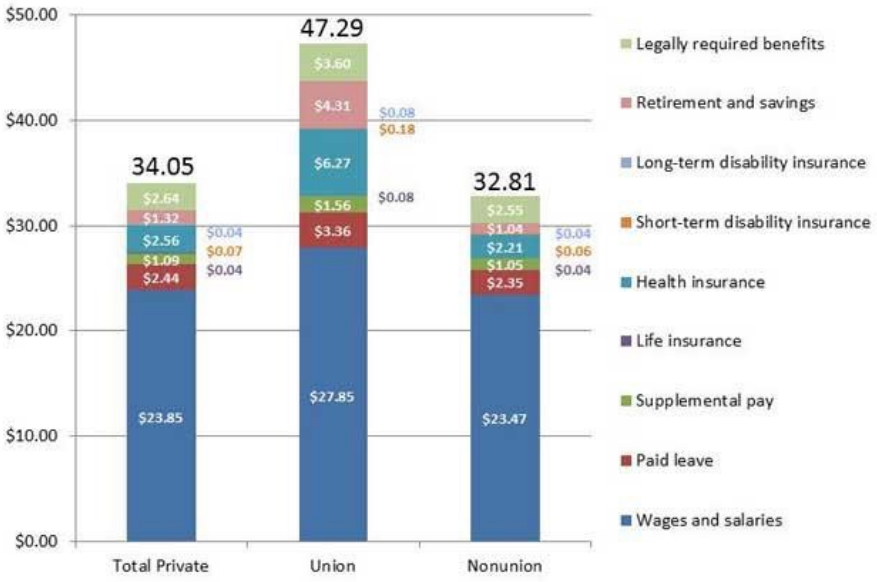
[47] Leef, G. C. (2005). *Free choice for workers: A history of the right-to-work movement* (pp. 34–35). Jameson Books.
[48] Mix, M. (2020, July 23). *To reform policing, restrict government unions' bargaining powers. Washington Examiner.* https://www.washingtonexaminer.com/opinion/2599722/to-reform-policing-restrict-government-unions-bargaining-powers
[49] Mishel, L., Rhinehart, L., & Windham, L. (2020, November 18). *Explaining the erosion of private-sector unions: How corporate practices and legal changes have undercut the ability of workers to organize and bargain.* Economic Policy Institute. https://www.epi.org/unequalpower/publications/private-sector-unions-corporate-legal-erosion/
[50] Hirsch, B. T. (2008). *Sluggish institutions in a dynamic world: Can unions and industrial competition coexist? Journal of Economic Perspectives, 22*(1), 153–176. https://doi.org/10.1257/jep.22.1.153
[51] Hirsch, B. T., & Macpherson, D. A. (2020). *Union membership and coverage data (updated 2020).* UnionStats.com. https://www.unionstats.com

4. Repeal of the Wagner Act would benefit American economic competitiveness.

The Wagner Act is a union tax on Americans. That's because the competition in business is not merely between businesses of right-to-work states and non-right-to-work states—it is between America and other nations, where costs of production may be less. Japan is a heavily unionized country. But because of many factors—including exchange rates for currency—it soon overtook heavily unionized Detroit in production of cheaper, better cars. From the 1960s, Japanese and German cars began to take away business from American car companies. The promising region known as America's future, the Midwest, morphed into the "rust belt."[52]

Repeal of the Wagner Act would reduce the cost of American goods by reducing negotiation and bargaining time. Without its legal requirements to bargain exclusively with unions, companies could reset wages to a market-clearing rate, or the lowest price for their work that employees are willing to accept in a competitive market. Since labor is a significant component of the "cost of goods sold" (COGS), reducing payroll expenses allows companies to lower the retail price of products like cars, steel, and manufactured goods while maintaining profit margins, a phenomenon that can sometimes be seen today in nonunion contexts after layoffs.

Employee Costs Per Hour for Workers in Private Industry, by Union or Nonunion Status, December 2018[53, 54]



[52] Alder, S., Lagakos, D., & Ohanian, L. E. (2014, August 1). *The decline of the U.S. Rust Belt: A macroeconomic analysis* (FRB Atlanta CQER Working Paper No. 14-5). https://ssrn.com/abstract=2586168
[53] Adams, Nash, Haskell & Sheridan. (n.d.). *What is the cost of unions?* https://anh.com/the-cost-of-unions/
[54] U.S. Bureau of Labor Statistics. (2019, March 19). *Employer costs for employee compensation — December 2018.* https://www.bls.gov/news.release/archives/ecec_03192019.htm

Also, union contracts often include specific work rules that dictate how many people are needed for a task or which specific trade can perform particular work (e.g., a carpenter not being allowed to move a pipe). Repealing the Act would return complete managerial discretion to the employer. Companies could streamline operations, adopt new automation more quickly, and cross-train employees to do multiple jobs. Increased productivity directly reduces the per-unit cost of a product.

Key Point: Eliminating the administrative burden of the NLRB would reduce a company's overhead costs, freeing up precious resources for more productive purposes.

What's more, the Wagner Act imposes costly legal compliance on companies. Rather than focusing on their prime business, companies must often engage in lengthy legal processes related to unions, whether those be for elections, contract disputes, or "Unfair Labor Practice" hearings. Employers spend millions annually on labor attorneys, consultants, and compliance officers to navigate NLRB regulations. Eliminating the administrative burden of the NLRB would reduce a company's overhead costs, freeing up precious resources for more productive purposes.

5. Repeal of the Wagner Act would encourage higher performance among workers.

America is, or should be, a land that honors effort. Union contracts often determine hiring, raises, and promotions based on seniority rather than talent or effort.[55] Repealing the Wagner Act would give firms greater freedom to reward ability and performance rather than tenure alone. Linking compensation more closely to merit would create healthier incentives for employees to innovate, develop skills, and excel on the job. By contrast, rigid seniority rules can dampen motivation and reward complacency. In a 21st-century economy defined by global competition, rapid technological change, and high-skill work, American firms need flexibility to attract, retain, and motivate top talent. Merit-based compensation is more essential than ever to foster innovation and ensure the United States remains competitive in the global talent market.

But union contracts commonly place workers into rigidly tiered or tabled compensation systems. See the example from the International Brotherhood of Electrical Workers.

[55] Shlaes, A. (2025, April 30). *A depression that wasn't. The Coolidge Review.* https://www.coolidgereview.com/forgotten-book/depression-that-wasnt

Example of a Union Pay Scale: IBEW Local 158 Green Bay Electrical Workers Inside Wage Packages May 26, 2024-May 31, 2025[56]

Classification		Base Rate	% of JIW	Health & Welfare	Annuity GBEW	NEBF	Fringe Benefit	Total Package	Working Dues
General FM		$46.29	115%	$11.17	$11.57	$1.39	$24.13	$70.42	$1.85
Foreman		$44.28	110%	$11.17	$11.07	$1.33	$23.57	$67.85	$1.77
JIW		$40.25	100%	$11.17	$10.06	$1.21	$23.44	$62.69	$1.61
Apprentice	Hours								
1st Pay Period	0-1500	$20.13	50%	$11.17	$3.22	$0.60	$14.99	$35.12	$0.81
2nd Pay Period	1501-3000	$22.14	55%	$11.17	$3.54	$0.66	$15.38	$37.51	$0.89
3rd Pay Period	3001-4500	$24.15	60%	$11.17	$3.86	$0.72	$15.76	$39.90	$0.97
4th Pay Period	4501-6000	$26.16	65%	$11.17	$4.71	$0.78	$16.66	$42.82	$1.05
5th Pay Period	6001-7000	$28.18	70%	$11.17	$5.07	$0.85	$17.09	$45.27	$1.13
6th Pay Period	7000-8000	$30.19	75%	$11.17	$5.43	$0.91	$17.51	$47.70	$1.21
CW/CE	Hours								
CW-1	0-900	$18.11	45%	$0.00	$0.00	$0.54	$0.54	$18.65	$0.72
CW-1A	901-2000	$18.11	45%	$10.17	$0.00	$0.54	$10.71	$28.82	$0.72
CW-2	2001-5000	$20.13	50%	$10.17	$0.40	$0.60	$11.18	$31.30	$0.81
CW-3	5001-8000	$22.14	55%	$10.17	$1.11	$0.66	$11.94	$34.08	$0.89
CE-1	8001-10000	$26.16	65%	$11.17	$1.83	$0.78	$13.79	$39.94	$1.05
CE-2	10001-12000	$30.19	75%	$11.17	$2.11	$0.91	$14.19	$44.38	$1.21
CE-3	12000+	$32.20	80%	$11.17	$3.22	$0.97	$15.36	$47.56	$1.29

It is worthwhile to note that repealing the Wagner Act would not mean that unions could not exist, but there would be room to work around restrictions, especially now that 100 years after the era of dramatic strikes and walkouts, labor culture in the U.S. is more accustomed to negotiation and bargaining.

6. Repeal of the Wagner Act would restrain unions' outsized and distorting political activities.

Unions use funds from membership dues to pay for the legal representation and contract administration that are part of the collective bargaining process. However, unions also use membership dues to endorse candidates, contribute to political campaigns, lobby, and engage in political activity that a significant portion of their members may not personally support. The Wagner Act intended to protect collective bargaining, not partisan political lobbying. Repeal of the Act would return political expression to individuals rather than centralized, overly powerful unions.

The Wagner Act reflects the political ideology of its time, the 1930s. Applying an outdated ideology to today's workplace hurts workers. They are forced into an "us or them" culture, which posits a class war between workers on the one hand and big bosses on the other. As recently as the 1960s, an example from Japan showed

[56] Union Pay Scales. (2024). *IBEW electricians wage chart* [Image]. https://unionpayscales.com/wp-content/uploads/2024/11/wages.png

the costs of these class warfare tactics. In America, workers could not raise their hand and make a suggestion about the assembly line or halt the line and fix the problem. In Japan, they could. The result was that Japanese firms such as Toyota and Honda were able to produce higher-quality vehicles that Americans wanted to buy.[57]

Proponents of repealing the Wagner Act argue that twentieth-century unions acted as power brokers to advance political ideas—including Communist narratives of the working class as oppressed—more than negotiating to advance work standards. Although not all union members agreed with these ideas, they were prevailing sentiments at the time of exponential union growth. The Cold War ended more than 30 years ago, but the narrative of workers as oppressed victims struggling against dominant business owners continues to inflect labor debate today. Repealing the Act would be a step toward removing established power brokers and allowing workers to express their political opinions as individuals, not as members of a group.

During the 1934–1945 NYC mayoralty of Fiorello La Guardia, his reelection campaigns benefited from cross-endorsement by the American Labor Party, a party founded by labor leaders.[58]

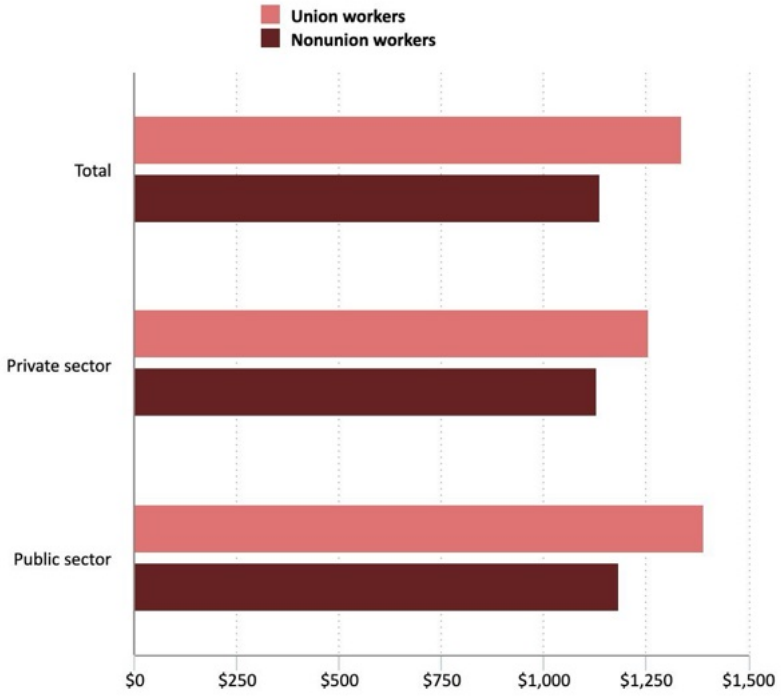
[57] Cusumano, M. A. (1985). *The Japanese Automobile Industry: Technology and Management at Nissan and Toyota*. Harvard University Press.
[58] *Political campaign to re-elect New York Mayor LaGuardia*. Kheel Center for Labor-Management Documentation and Archives, Martin P. Catherwood Library, Cornell University. https://jstor.org/stable/community.502973

NEGATIVE

1. Repeal of the Wagner Act would result in lower wages. Wages are higher for union workers and in states with strong unions.

The evidence is clear: unions provide a wage premium to workers. Data from the U.S. Bureau of Labor Statistics, or BLS, indicate that in 2024, median weekly wages for workers represented by private sector unions were more than 10 percent higher than wages for nonunion workers ($1,258 compared to $1,131).[59]

Usual Median Weekly Earnings by Union Affiliation for Workers in the Private and Public Sectors, 2024[60]

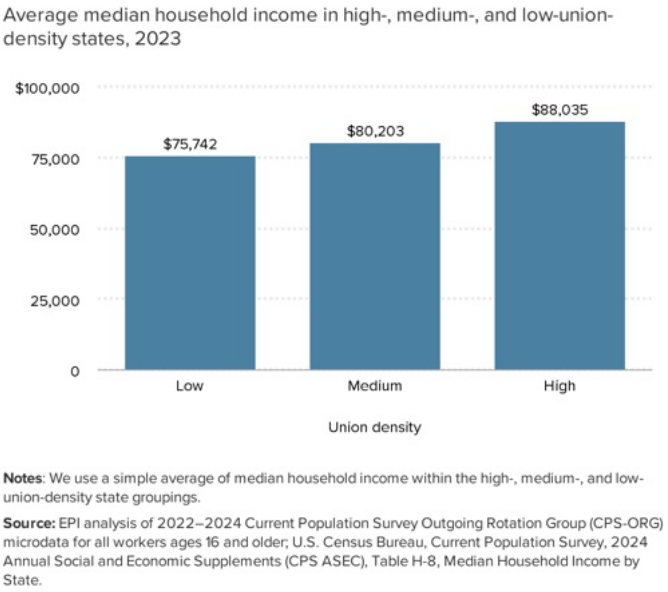


[59] U.S. Bureau of Labor Statistics. (2025, February 27). *Weekly earnings of nonunion workers were 85 percent of union members' earnings in 2024. The Economics Daily.* https://www.bls.gov/opub/ted/2025/weekly-earnings-of-nonunion-workers-were-85-percent-of-union-members-earnings-in-2024.htm

[60] U.S. Bureau of Labor Statistics. (2025, February 27). *Weekly earnings of nonunion workers were 85 percent of union members' earnings in 2024. The Economics Daily.* https://www.bls.gov/opub/ted/2025/weekly-earnings-of-nonunion-workers-were-85-percent-of-union-members-earnings-in-2024.htm

Data also confirms that wages are generally higher in states with more unions and more union membership. A 2025 report by the Economic Policy Institute found that "in high-union-density states, 2023 median household income was on average more than $12,000 higher than in low-union-density states."[61] This is strong evidence that unions' collective bargaining efforts are crucial for securing economic gains for workers. Unionized workers who earn more also pay more taxes, which is yet another benefit unions provide to states.

Median Incomes in High-Union-Density States are More than $12,000 Higher, on Average, than Median Incomes in Low-Union-Density States[62]



The 17 U.S. states with the highest union densities have state minimum wages that are, on average, 19% higher than the national average and 40% higher than those in low-union-density states. They are also more likely to have passed paid sick leave laws and paid family and medical leave laws than states with lower union densities.[63] Furthermore, unions create a union spillover effect, raising the wage floor for an entire region, as nonunion employers often increase their own pay standards to compete for labor. If they fail to match these standards, they risk losing their most skilled workers to unionized competitors. A repeal of the Wagner Act could trigger a downward spiral of wages and benefits, even for workers not currently represented by a union.

[61] McNicholas, C., Poydock, M., Shierholz, M., & Wething H. (2025, August 20). Unions aren't just good for workers — they also benefit communities and democracy. Economic Policy Institute. https://www.epi.org/publication/unions-arent-just-good-for-workers-they-also-benefit-communities-and-democracy/

[62] McNicholas, C., Poydock, M., Shierholz, M., & Wething H. (2025, August 20). *Unions aren't just good for workers — they also benefit communities and democracy*. Economic Policy Institute. https://www.epi.org/publication/unions-arent-just-good-for-workers-they-also-benefit-communities-and-democracy/

[63] McNicholas, C., Poydock, M., Shierholz, M., & Wething H. (2025, August 20). *Unions aren't just good for workers — they also benefit communities and democracy*. Economic Policy Institute. https://www.epi.org/publication/unions-arent-just-good-for-workers-they-also-benefit-communities-and-democracy/

2. Repeal of the Wagner Act would result in greater inequality.

As union membership declines, the share of income going to the top 10% of earners tends to increase, suggesting that removing these protections further concentrates wealth.[64] The shrinking middle class in America is, in part, due to decreased union membership. Writing for the Center for American Progress, Richard Freeman et al. (2016) calculate "that the decline in union coverage accounts for 35 percent of the falling share of middle-class workers."[65]

Unions help close the wage gap for minorities. Unionized Black workers earn 12.6% more, and Hispanic workers earn 16.4% more than their nonunionized peers.[66] Collective bargaining acts as a buffer against sex-based pay disparities, but women are less likely to be unionized than men. Comparing nonunionized women with unionized men in similar jobs, pay gaps can be as great as 40%. The union wage premium effectively reduces the absolute pay disadvantage for unionized women.[67]

The Wagner Act cemented real equality gains in the early 20th century for African Americans, Eastern European immigrants, and female industrial workers as they organized into the Congress of Industrial Organizations.[68] The Wagner Act continues to ensure all workers—not just those with beneficial professional or familial connections—are on the same pay scale. Employees with the same level of experience should receive equal pay. Repeal risks losing that.

Employees in unions have not only higher wages but also greater access to benefits: 95% have access to retirement and medical care, compared to 68% for nonunion workers.[69] In states with higher union densities, the share of people in 2023 without health insurance was 5.7%, compared to 9% of people living in states with lower union densities.[70] The lack of employer-provided health insurance shifts the cost of social safety nets to taxpayers. Repeal of the Wagner Act would further socialize the costs of poverty while privatizing the gains of labor. Higher wages and better benefits improve employee retention, which often improves business productivity and profits.

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[64] McNicholas, C., Poydock, M., Shierholz, M., & Wething H. (2025, August 20). *Unions aren't just good for workers — they also benefit communities and democracy*. Economic Policy Institute. https://www.epi.org/publication/unions-arent-just-good-for-workers-they-also-benefit-communities-and-democracy/

[65] Freeman, R. B., Han, E., Madland, D., & Duke, B. (2016). *What do unions do for the middle class?* Center for American Progress. https://www.americanprogress.org/wp-content/uploads/sites/2/2016/01/UnionsMiddleClass-report.pdf

[66] McNicholas, C., Poydock, M., Shierholz, M., & Wething H. (2025, August 20). *Unions aren't just good for workers — they also benefit communities and democracy*. Economic Policy Institute. https://www.epi.org/publication/unions-arent-just-good-for-workers-they-also-benefit-communities-and-democracy/

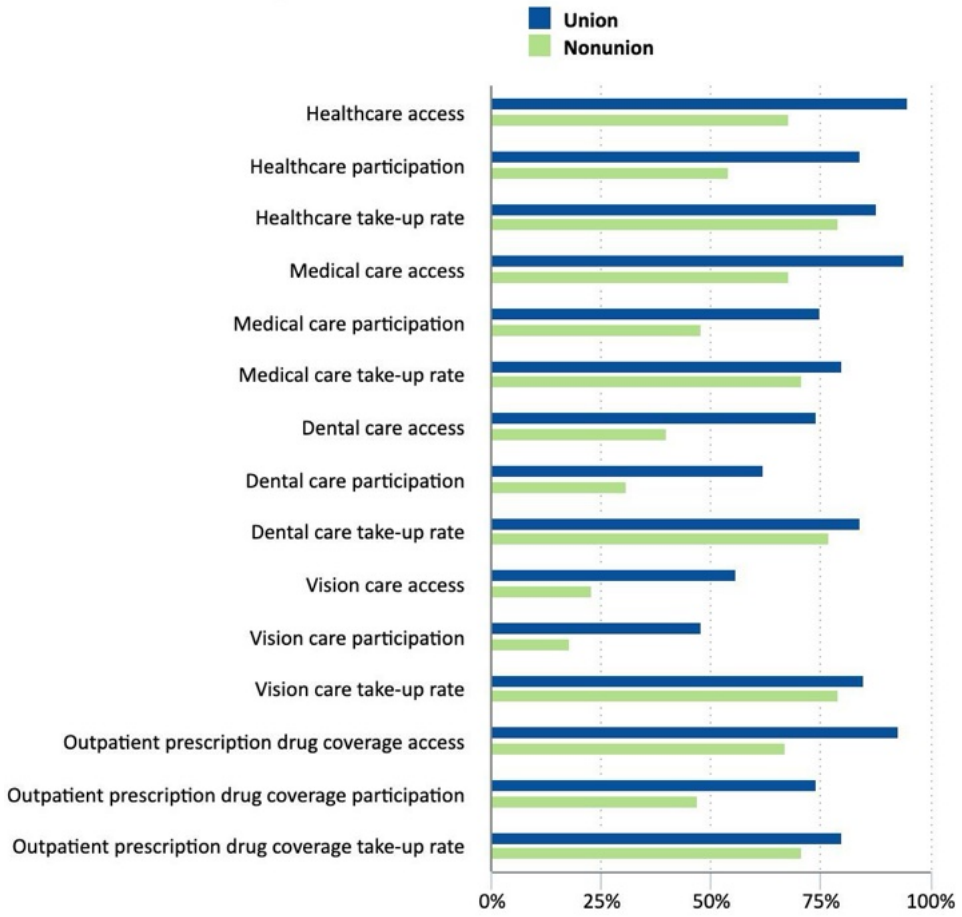
[67] Meara, K., Pastore, F., & Webster, A. (2020). The gender pay gap in the USA: A matching study. *Journal of Population Economics, 33*, 271–305. https://doi.org/10.1007/s00148-019-00743-8

[68] Schneirov, R. (n.d.). *Strikes*. In *The Encyclopedia of Chicago*. Chicago Historical Society and The Newberry Library. http://www.encyclopedia.chicagohistory.org/pages/1211.html

[69] U.S. Bureau of Labor Statistics. (2019, September 19). *Union workers more likely than nonunion workers to have healthcare benefits in 2019. The Economics Daily*. https://www.bls.gov/opub/ted/2019/union-workers-more-likely-than-nonunion-workers-to-have-healthcare-benefits-in-2019.htm

[70] McNicholas, C., Poydock, M., Shierholz, M., & Wething H. (2025, August 20). *Unions aren't just good for workers — they also benefit communities and democracy*. Economic Policy Institute. https://www.epi.org/publication/unions-arent-just-good-for-workers-they-also-benefit-communities-and-democracy/

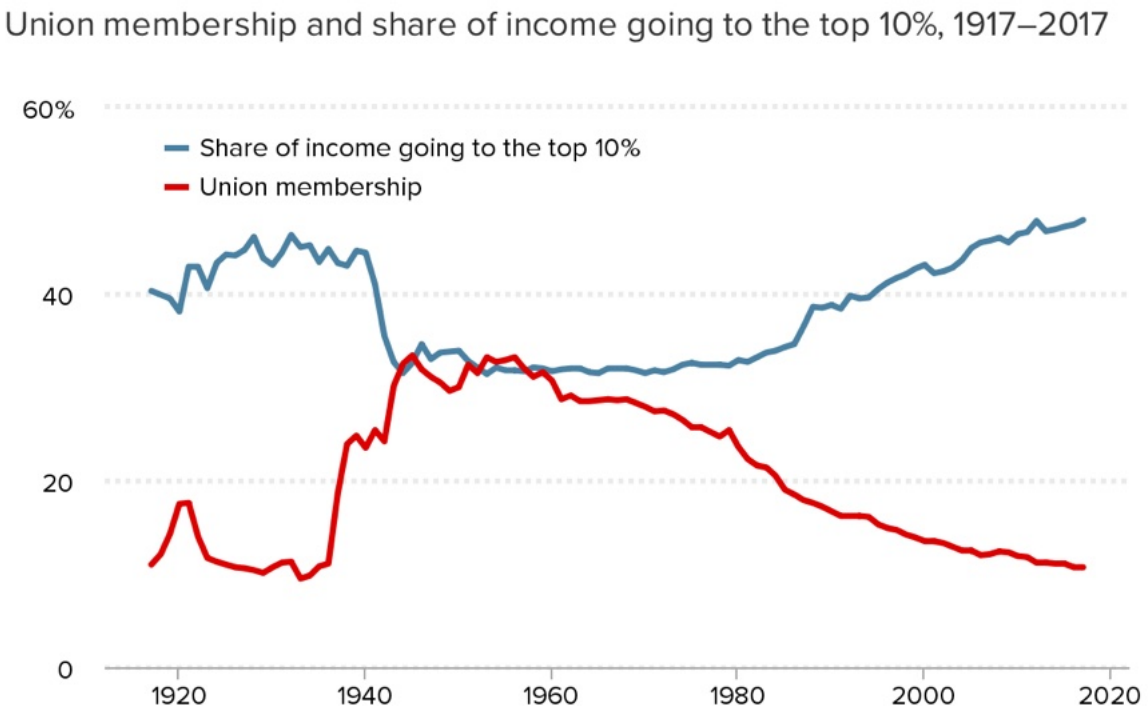
Healthcare Benefits Access, Participation, and Take-Up Rates for Union and Nonunion Civilian Workers, March 2019[71]



By narrowing wage gaps between high- and low-skill workers, unions reduce extreme income inequality that can lead to social and political instability. Historically, this stabilization has been essential for maintaining a strong middle class, ensuring that economic growth is shared more broadly rather than concentrated among a wealthy elite.

[71] U.S. Bureau of Labor Statistics. (2019, September 19). *Union workers more likely than nonunion workers to have healthcare benefits in 2019. The Economics Daily.* https://www.bls.gov/opub/ted/2019/union-workers-more-likely-than-nonunion-workers-to-have-healthcare-benefits-in-2019.htm

As Union Membership Declines, Income Inequality Rises[72]



Sources: Data on union density follows the composite series found in Historical Statistics of the United States; updated to 2017 from unionstats.com. Income inequality (share of income to top 10%) data are from Thomas Piketty and Emmanuel Saez, "Income Inequality in the United States, 1913–1998," *Quarterly Journal of Economics* 118, no. 1 (2003), and updated data from the Top Income Database, updated March 2019.

3. Repeal of the Wagner Act would embolden business owners who are already too powerful.

American prosperity is measured by the strength of its middle class, not the concentration of wealth at the top. Repealing the Wagner Act would seriously limit the ability of workers to use their primary peaceful recourse, collective bargaining, to negotiate from a position of strength to resist corporate overreach. Without the Wagner Act, large employers and shareholders could unilaterally dictate wages and freely fire, blacklist, or demote employees simply for discussing wages or meeting with other workers to discuss workplace hazards. Historically, many business owners do not provide wage increases or improved benefits without external pressure.

[72] Shierholz, H. (2019, September 9). *Working people have been thwarted in their efforts to bargain for better wages by attacks on unions*. Economic Policy Institute. https://www.epi.org/publication/labor-day-2019-collective-bargaining/

The Wagner Act ensures that as American companies grow more profitable, the workers who create that value share in the gains. Without the legal right to organize and the oversight of the NLRB, the inequality of bargaining power would likely return, allowing business owners to suppress wages and strip away essential protections that have defined the American middle class for nearly a century. On the federal level, unions not only advocate for higher wages, but for better benefits like health insurance and paid family leave; safer working conditions; stronger public services; and equitable tax rates.

When union density is high, the productivity-pay gap is smaller, meaning that the gains from economic growth are shared more broadly. Repealing the Act could remove the incentive for employers to pass on profits down the ladder of employment, further exacerbating the problem of a growing wealth gap between the highest and lowest earners in the United States.

The 1920s provide a helpful case study. Manufacturing efficiency exploded during the 1920s, with output per person-hour rising more than 30%.[73] However, because union influence was at a low point following the unsuccessful strikes of 1919 and 1922, workers lacked the bargaining power to capture a fair share of these gains. Real wages for manufacturing workers grew by only about 8%.[74]

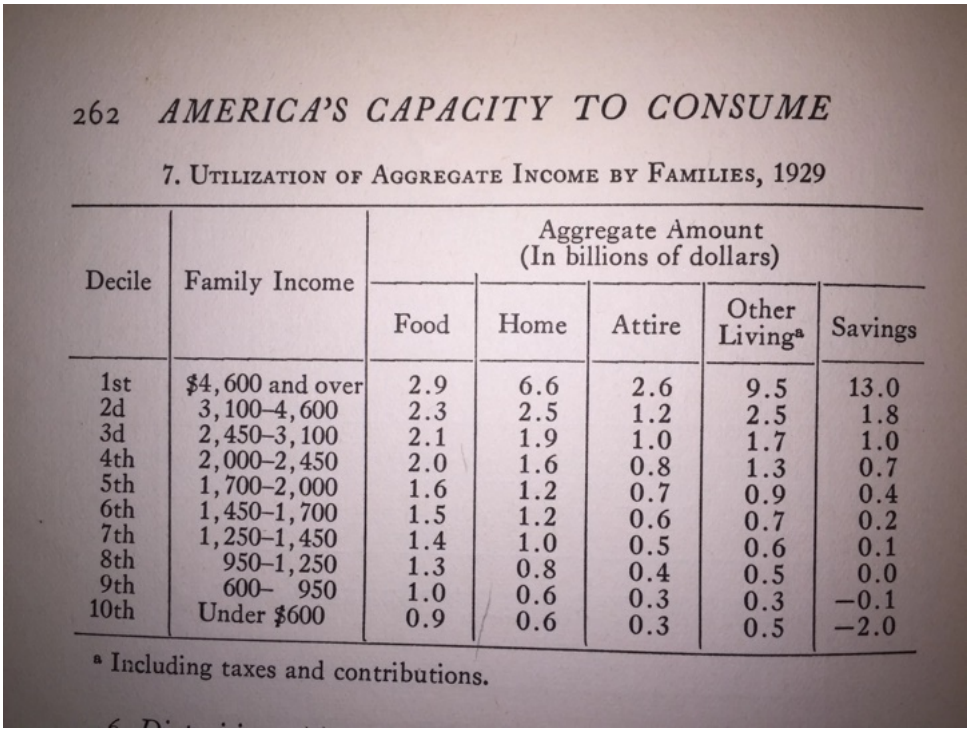
Because the wage floor was not being pushed upward by collective bargaining, the surplus value created by increased productivity flowed primarily upward. Corporate profits rose by an estimated 62%, and dividends paid to stockholders increased by 65%.[75] Without the Wagner Act's protections, some employers utilized several strategies to keep wages low, like depicting unions as "un-American," hiring only workers who signed agreements not to join a union, and creating management-controlled unions that gave the illusion of worker voice but lacked the legal power to strike or negotiate for higher pay.

Key Point: When union density is high, the productivity-pay gap is smaller, meaning that the gains from economic growth are shared more broadly.

Repeal of the Wagner Act risks returning America to a highly unequal economic distribution with greater and greater shares of profits going to business owners and stockholders rather than to workers. By 1929, families in the top 10 percent of income were responsible for a whopping one-third of total consumption.[76] Workers and their families lacked disposable income to buy the proliferating goods produced by new, efficient factories. Unpurchased inventory piled up, and production slowed.

[73] Ohanian, L. E. (2006, November). *What caused the great depression? Herbert Hoover and labor shedding* [Paper presentation]. Macroeconomics Conference, Federal Reserve Bank of Minneapolis, Minneapolis, MN, United States. https://www.minneapolisfed.org/economic-research/conferences/~/media/files/research/events/macro/ohanian.pdf
[74] Schlesinger, A. M., Jr. (1957). *The crisis of the old order: 1919–1933*. Houghton Mifflin.
[75] Schlesinger, A. M., Jr. (1957). *The crisis of the old order: 1919–1933*. Houghton Mifflin.
[76] Dews, F. (2016, October 24). *Brookings and the Great Depression*. Brookings. https://www.brookings.edu/articles/brookings-great-depression/

In 1929, the Top 10% of American Families by Income Were Responsible for One-Third of Total Consumption[77]



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7. Utilization of Aggregate Income by Families, 1929

Decile	Family Income	Aggregate Amount (In billions of dollars)				
		Food	Home	Attire	Other Living[a]	Savings
1st	$4,600 and over	2.9	6.6	2.6	9.5	13.0
2d	3,100–4,600	2.3	2.5	1.2	2.5	1.8
3d	2,450–3,100	2.1	1.9	1.0	1.7	1.0
4th	2,000–2,450	2.0	1.6	0.8	1.3	0.7
5th	1,700–2,000	1.6	1.2	0.7	0.9	0.4
6th	1,450–1,700	1.5	1.2	0.6	0.7	0.2
7th	1,250–1,450	1.4	1.0	0.5	0.6	0.1
8th	950–1,250	1.3	0.8	0.4	0.5	0.0
9th	600– 950	1.0	0.6	0.3	0.3	−0.1
10th	Under $600	0.9	0.6	0.3	0.5	−2.0

[a] Including taxes and contributions.

4. Repeal of the Wagner Act would eliminate a stabilizing legal framework for resolving labor disputes.

Labor disputes will always exist. Repealing the Wagner Act would revoke a stabilizing legal framework that provides predictability for both union members and employers, decreasing legal costs that are ultimately passed on to consumers.

Unions prevent litigation by acting as a private, internal judicial system that resolves workplace disputes before they can reach a courtroom. By establishing a formalized grievance and arbitration procedure, unions provide a structured alternative to the expensive and time-consuming process of filing lawsuits.

In a nonunion at-will environment, a single disgruntled employee can bypass internal channels to file high-stakes lawsuits in civil court, exposing the company to volatile legal fees and the risk of massive, unpredictable jury awards. Conversely, union contracts typically mandate that all workplace disputes—from disciplinary actions to contract interpretations—be resolved through a multi-step grievance process ending in binding arbitration.

[77] Leven, M., Moulton, H. G., & Warburton, C. (1934). *America's capacity to consume*. Institute of Economics, The Brookings Institution.

Because union contracts require employers to treat similarly situated employees the same way, they reduce claims of disparate treatment or discrimination that often lead to Equal Employment Opportunity Commission (EEOC) filings.

This administrative justice system, overseen by the National Labor Relations Board, is significantly faster and more cost-effective than litigation. When a Collective Bargaining Agreement (CBA) clearly codifies rules and timelines, businesses can accurately budget for conflict resolution. By centralizing dispute management, unions effectively act as a filter that resolves meritless claims early, providing the labor peace and budgetary predictability necessary for long-term corporate planning.

5. Repeal of the Wagner Act would strip workers of essential rights and protections.

The First Amendment enshrines that "Congress shall make no law abridging the right of the people peaceably to assemble, and to petition the Government for a redress of grievance."[78] The Wagner Act explicitly protects citizens' right to associate as employees through organizing a union. Repealing the Act would be a constitutional violation of the freedom of association.

That freedom of association has secured protections, rights, and wages that benefit union and nonunion workers alike. Workers experienced poor labor protections and hazardous working conditions before increased unionization in the late 19th and early 20th centuries. The Wagner Act and its establishment of the National Labor Relations Board were foundational to increased protections that would have been much harder to pass without private-sector collective bargaining. Today's well-known labor laws—including a 40-hour work week, the federal minimum wage, and child labor laws—are national standards established by the Fair Labor Standards Act (FLSA) of 1938 that were created from momentum generated by the Wagner Act of 1935.[79] Congress has continued to add amendments to the Act, including wage increases, which remain in effect today.

Data from the National Bureau of Economic Research show union membership grew by 165% between 1933 and 1939, from 3.9 million to almost 9 million, with the passage of the Wagner Act in 1935.[80] Just a few months after passage, the Committee for Industrial Organization (CIO) formed out of the American Federation of Labor (AFL). The AFL-CIO, the largest union in the U.S. with more than 12 million members, produces annual reports about job-related deaths. Four of the six states with high fatality rates—Wyoming, West Virginia, Arkansas, and Montana—have right-to-work statutes or laws. However, it is not a 1:1

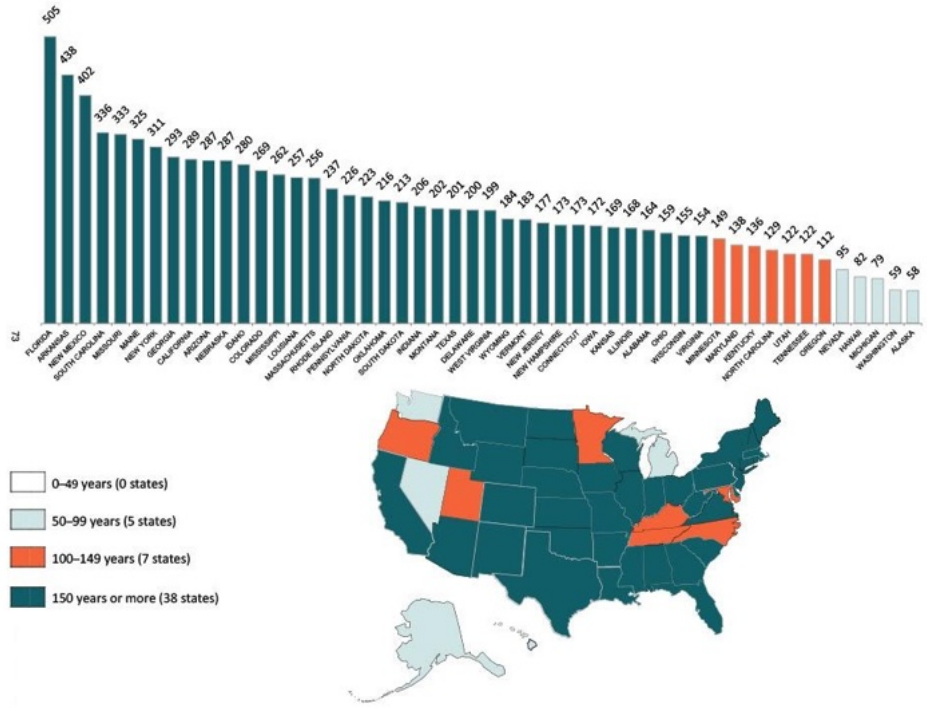
[78] Congress.gov. (n.d.). *First Amendment: Freedom of speech, press, assembly, religion, and petition*. U.S. Constitution Annotated. https://constitution.congress.gov/browse/essay/amdt1-8-1/
[79] U.S. Department of Labor, Wage and Hour Division. (n.d.). *Fair Labor Standards Act (FLSA)*. https://www.dol.gov/agencies/whd/flsa
[80] Troy, L. (1965). *Introduction* (pp. 1–10) in *Trade union membership, 1897–1962*. National Bureau of Economic Research. https://www.nber.org/system/files/chapters/c1707/c1707.pdf

correlation. Alaska and North Dakota, also among states with the highest shares of fatalities, have higher union membership and no right-to-work laws.

A 2018 study indicates that right-to-work laws have led to a 14.2% increase in workplace deaths through decreased unionization.[81] Repealing the Wagner Act would further diminish the influence and power of unions, subjecting workers to more hazardous job standards and higher rates of work fatalities.

Unionized workplaces are significantly more likely to be inspected by the Occupational Safety and Health Administration, or OSHA.[82] Workers, trained to identify hazards by their unions, are protected from retaliation when filing complaints, which leads to more frequent and thorough safety audits. OSHA has a limited number of inspectors and often focuses on larger establishments. There, workers assist in enforcement and maintain safety and health standards. Federal inspections can occur as a routine or as a complaint investigation. While OSHA investigates whether a workplace is safe, the NLRB makes sure workers cannot be fired for speaking up together, which would be concerted activity, about their workplace being unsafe. Revoking reporting protections would be detrimental to the safety of workers.

Years Needed for OSHA to Inspect All Job Sites[83, 84]



[81] Zoorob, M. (2018). *Does 'Right to Work' imperil the right to health? The effect of labour unions on workplace fatalities. Occupational and Environmental Medicine, 75*(10), 736–738. https://doi.org/10.1136/oemed-2017-104747
[82] Weil, D. (1991). *Enforcing OSHA: The role of labor unions. Industrial Relations, 30*(1), 20–36. https://doi.org/10.1111/j.1468-232X.1991.tb00773.x
[83] AFL-CIO. (2023, January). *Years needed to inspect OSHA sites: Workplace safety backlog in 2022* [PDF]. AFL-CIO. https://aflcio.org/sites/default/files/2023-01/Years-Needed-Inspect-OSHA-Sites-2022_0.pdf
[84] Occupational Safety and Health Administration. (2022). *2021 enforcement summary*. U.S. Department of Labor. https://www.osha.gov/enforcement/2021-enforcement-summary

6. Repeal of the Wagner Act would result in more strikes and greater disruption to the economy.

The chief aim of the Wagner Act is to preserve the free flow of interstate and international commerce. This is in the interest of both employer and employee, not to mention consumers. Repealing the Wagner Act demonstrates intent not only to revoke collective bargaining but to hamper commercial trade.

Before the NLRB, shutting down production was the most effective way to gain an employer's attention because there was no legal way to bring an unwilling employer to the negotiation table. Significant labor actions, like the 1877 railroad strike and the 1919 steel strike, involved hundreds of thousands of workers and caused intense economic disruption. Industrial Age strikes often turned deadly. The 1877 railroad strike led to 30 dead and 200 wounded.[85] Meanwhile, the 1919 strike involved 18,000 workers and included two deaths.[86] The Federal government deployed troops to enforce martial law.[87]

Key Point: repealing the Wagner Act would undo the frameworks that make sure employee-employer negotiations occur and remain peaceful.

The Wagner Act sought to end this violence by moving the battle from the streets to the boardroom and the courtroom. Secret-ballot elections replaced violent recognition strikes, employers were legally required to meet and negotiate, and the National Labor Relations Board could resolve disputes rather than having them fester into intense standoffs or even violence.

In a modern global economy, the absence of the Wagner Act's protections risks returning industries to a state where labor disputes are settled through force and anarchy rather than negotiation, paralyzing the movement of goods. Strikes still happen that disrupt the economy. The Wagner Act does not eliminate strikes or walkouts, but without federal incentive to bring employers and employees together, total disruption of commerce would be far more frequent. While it may be unlikely that 21st-century strikes would echo the violence of the late 19th and early 20th centuries, repealing the Wagner Act would undo the frameworks that make sure employee-employer negotiations occur and remain peaceful.

[85] Schneirov, R. (n.d.). *Strikes*. In *The Encyclopedia of Chicago*. Chicago Historical Society and The Newberry Library. http://www.encyclopedia.chicagohistory.org/pages/1211.html
[86] Case Western Reserve University. (n.d.). *1919 Steel Strike*. Encyclopedia of Cleveland History. https://case.edu/ech/articles/n/1919-steel-strike
[87] Indiana Historical Society. (n.d.). *Item 603* [Digital collection record]. Indiana Historical Society Digital Collections. https://discoverindianahistory.org/items/show/603

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ABOUT THE FOUNDATION

The Calvin Coolidge Presidential Foundation is the official foundation dedicated to preserving and promoting the legacy of America's 30th president, Calvin Coolidge, who served from August 1923 to March 1929. The Foundation advances Coolidge's enduring values, including civility, bipartisanship, restraint in government, fiscal responsibility, and policies that foster economic growth. The Foundation sponsors the Coolidge Scholarship and the Coolidge Senators programs, national initiatives that honor academic merit. It has also built a nationwide high school debate program, culminating each July in the Coolidge Cup, an invitational tournament held at President Coolidge's birthplace in Plymouth, Vermont. Founded in 1960 by a group of Coolidge enthusiasts, including John Coolidge, the president's son, the Foundation maintains offices in Plymouth, Vermont—working in cooperation with the Calvin Coolidge State Historic Site—and at Coolidge House in Washington, D.C.

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