

# **It's time for Colorado to remove barriers to unionization**

Outdated “second election” rule is rooted in  
anti-worker, white supremacist history

**Report** • By [Jennifer Sherer](#) and [Elise Gould](#) • February 27, 2025

---

**Summary:**

- An anti-union Colorado law, passed in 1943 amid intense big business and white supremacist campaigns to block worker organizing, has suppressed unionization in the state.
- Resulting low and declining unionization rates in Colorado have corresponded with extreme increases in income inequality, outpacing even stark national increases in inequality.
- Colorado's unionization rates have for decades remained similar to those in states where anti-union so-called right-to-work laws are in place. At 7.7%, Colorado's union membership is now 22% below the national average of 9.9%.
- Colorado's state law poses unnecessary obstacles to unionization for workers who already face union busting when exercising the right to organize under federal law, where employers are charged with labor law violations in 41.5% of all union elections.
- Removing barriers to unionization would enable more Coloradans to improve their wages and working conditions. On average, workers covered by a union contract earn 10.2% more than nonunionized counterparts and are more likely to have employer-provided health and retirement benefits.

---

**C**olorado state legislators are considering historic legislation<sup>1</sup> to restore workers' collective bargaining rights by repealing provisions of an 82-year-old statute that limits Colorado workers' freedom to form unions and collectively bargain.

At present, Colorado private-sector workers who form a union by winning a certification election administered by the National Labor Relations Board are prohibited from negotiating with employers over union security, unless they also pursue a *state-administered second election*, which they must win by the exceptionally high threshold of a 75% supermajority of those voting or 50% plus one of all eligible voters (not just those participating in the election)—whichever is greater. In other words, Colorado workers face uniquely steep barriers to securing full

## SECTIONS

1. Colorado's 1943 anti-union law led national backlash against worker organizing • 2
2. Fueled by white supremacy, state anti-union laws spread in 1940s • 3
3. 1977 Colorado legislation reinstating second election requirement part of resurgent anti-union RTW movement • 4
4. Weakened, outdated state and federal labor laws pose obstacles to unionization • 5
5. Like so-called RTW laws in other states, Colorado's anti-union law results in lower wages and benefits for all workers • 7
6. By weakening unions, anti-union state laws fuel economic inequality • 13
7. Conclusion • 17

---

Acknowledgements • 17

Notes • 17

References • 18

collective bargaining rights otherwise guaranteed under federal labor law.

## **What is union security, and why does it matter?**

A union security clause is language included in a collective bargaining agreement—negotiated and jointly agreed to by labor and management—that sets terms under which employees covered by a union contract in a given workplace will either join the union or (for workers who choose not to join the union) contribute an agency fee to cover their share of costs of contract and workplace representation benefits they receive from the union. In the U.S., the ability to bargain over union security has proven critical in establishing the stability and longevity of unions in the context of highly unequal workplace power. Without a union security agreement, any union’s future remains by definition “insecure” and precarious—both because future financial resources are unpredictable and because of significant risk that an anti-union employer could at any time attempt to discourage union membership in order to hinder the bargaining process; dissolve a newly-formed union; or even encourage decertification of a longstanding union. Overt employer interference with workers’ freedom to join or form unions via tactics like pressuring employees to drop union membership or selecting new hires based on their willingness to oppose a union, is of course illegal. However, as detailed later in this report, such labor law violations remain commonplace both because they are difficult to prove and even if proven, generally result in few or no consequences for employers under existing weak labor laws.

While Colorado’s law is unique, its impact and its historical roots in periods of intense big business anti-union backlash and white supremacist campaigns to pass state legislation limiting multiracial worker power are not.

Data show that Colorado’s second election requirement has produced outcomes highly similar to those associated with so-called right-to-work (RTW) laws that prohibit negotiation over union security in other states. Colorado’s second election requirement has suppressed unionization rates, and declining unionization rates have been accompanied by a dramatic increase in income inequality in the state.

## **Colorado’s 1943 anti-union law led national backlash against worker organizing**

Colorado’s state law currently limits workers’ freedom to bargain by banning negotiations over union security unless workers pursue and win (by supermajority) a state-mandated second election. The law in question, misleadingly named the “Labor Peace Act,” was

enacted in 1943—just eight years after passage of the federal National Labor Relations Act (NLRA; LPA 1943; Mariam 2024).

The NLRA had declared “encouraging the practice and procedure of collective bargaining” to be “the policy of the United States” in order to reduce “obstructions to the free flow of commerce” and address the “inequality of bargaining power” between employees and employers (NLRA 1935). As union membership increased following passage of the NLRA, a business-backed counter-push in the early 1940s attempted to undermine the new federal labor law and entrench employer bargaining power. After losing court challenges to the NLRA (which was declared constitutional by the Supreme Court in 1937), business groups increasingly turned to state legislation in their attempts to constrain the growth of unions (Dixon 2007).

Colorado’s 1943 anti-union law enshrined in policy elements of a long history of state-sponsored suppression of union organizing. The 1914 Ludlow Massacre, for example, sparked national outrage when at least 20 people (including 11 children) were killed when Colorado National Guard troops set fire to a tent camp of immigrant miners’ families who had been evicted from company housing by the Rockefeller-owned Colorado Fuel & Iron Company while on strike (in turn sparking the bloody “Ten Days War” that followed; Andrews 2010).

In numerous other 19th- and early 20th-century mining strikes, state intervention played similarly decisive roles. Along with company security and private militias, state police and Colorado National Guard troops were often charged with protecting strikebreakers or forcing miners back to work, enabling coal operators to maintain production while refusing to recognize miners’ unions, much less bargain over demands for improvements in wages and mine safety (DeStefanis 2004).

## **Fueled by white supremacy, state anti-union laws spread in 1940s**

In Colorado and elsewhere, 1940s state laws regulating union security were products of business backlash against increasing union activity generally, and in particular against multiracial organizing that had begun to challenge the hyper-exploitation of Black, brown, and immigrant workers in industries like agriculture or mining. Colorado’s 1943 law, along with anti-strike laws passed in Arkansas, Mississippi, and Texas, laid groundwork for what soon became the spread of so-called RTW laws to other Southern and Western states over the next decade (Pierce 2017).

Historians have traced the origins of state RTW proposals to Southern conservatives like Texas antisemite Vance Muse. Muse’s white nationalist “Christian American Organization” focused on opposing unions associated with the Congress of Industrial Organizations (CIO) who had begun organizing Black and white sharecroppers, factory workers, and miners into expansive industrial unions. Muse promoted state RTW policies to Southern state lawmakers as key to maintaining the color line and arresting the advance of CIO

organizing that threatened the racial hierarchies underpinning labor exploitation (Pierce 2017; 2018).

Colorado’s passage of anti-union legislation in 1943 was equally central to this history. White supremacist organizations had grown to significant influence in early 20th-century Colorado, with the Ku Klux Klan periodically amassing enough members to take over state government (and many local governments; Davis 2023; Phillips 2018). Influential mining companies like Rockefeller’s staunchly anti-union Colorado Fuel & Iron (CF&I) had for decades relied on state power to protect their interests in standoffs with the United Mine Workers of America (UMWA), whose leader, John L. Lewis, cofounded the CIO.

Starting in the 1930s, new federal policies had begun to challenge coal companies’ ability to crush unions in Colorado. For example, National Recovery Administration requirements linking federal contracts to union recognition compelled CF&I to begin bargaining with the UMWA in 1933 (Athearn 1985, 161). The start of WWII intensified federal intervention in labor relations in industries critical to national defense. By 1942, the National War Labor Board (NWLB) had invalidated a “company union” at CF&I’s Pueblo steel plant and brokered national coal settlements that included union security clauses in exchange for union no-strike commitments—drawing the ire of industrialists who had long refused to bargain over union security (Gorhan Rice Jr. 1942; Kratz 2018).

Colorado’s 1943 labor law incorporated the emerging RTW movement’s focus on regulating union security in the form of the second election, along with a long list of other measures constraining union effectiveness. For example, Colorado’s law prohibited union political activity (this was later declared unconstitutional); expanded the authority of state courts to issue injunctions blocking worker collective action; and prohibited secondary strikes, boycotts, and pickets, which some unions had successfully used to encourage hostile employers to recognize or negotiate with newly formed unions (Seligson 1959).

Colorado’s state law then served as a primary template for the 1947 Taft-Hartley Act, which significantly amended the NLRA and enshrined new restrictions on union activity into federal law. In fact, a Colorado-style second election requirement with a simple majority vote threshold was among new restrictions included in Taft-Hartley amendments, though Congress soon deemed the second election superfluous and removed it in 1951. Of more lasting import, Taft-Hartley affirmed the authority of states to enact RTW laws prohibiting union security agreements (Hogler 2009).

## **1977 Colorado legislation reinstating second election requirement part of resurgent anti-union RTW movement**

For decades after passage of Taft-Hartley, much of the Colorado law—including the second election provision—was considered preempted because federal law covered similar areas. In 1976, a lawsuit supported by the National Right to Work Legal Defense

Foundation prompted a court ruling that the second election requirement could be enforced. This in turn called into question the legality of thousands of Colorado collective bargaining agreements negotiated without a second election. In what labor law expert Raymond Hogler has characterized as a “deal forged in the heat of a political emergency” with “little policy debate about its merits,” lawmakers responded with a bill that retroactively validated existing collective bargaining agreements but imposed the second election requirement on all future unionizing workers in Colorado (Hogler 2007).

While the lawsuit and legislation leading to reinstatement of the second election requirement fell one step short of an outright ban on union security in the form of a RTW law (which the governor at the time had pledged to veto), it was fully entwined with resurgent late 1970s anti-union campaigns. These campaigns again focused on blocking NLRA reform, slowing the growth of multiracial unions—this time in public and service sectors, where women and Black workers had unionized in growing numbers through the ‘60s and ‘70s—and using state legislatures to regulate union security to frustrate union organizing and union stability (Phillips-Fein 2009, 185–212; Shelton 2017).

## **Weakened, outdated state and federal labor laws pose obstacles to unionization**

Nationally and in Colorado, the share of workers covered by a union contract declined in the four decades since Colorado reinstated its second election requirement. Importantly, this decline was not because workers lost interest in having unions. In fact, during the same period, the number of workers saying they would vote to unionize if given the opportunity steadily increased (to around 60 million in our latest estimate), and public approval of labor unions is now at an historic high of 70% (McNicholas and Tahmincioglu 2022; Shierholz et al. 2024).

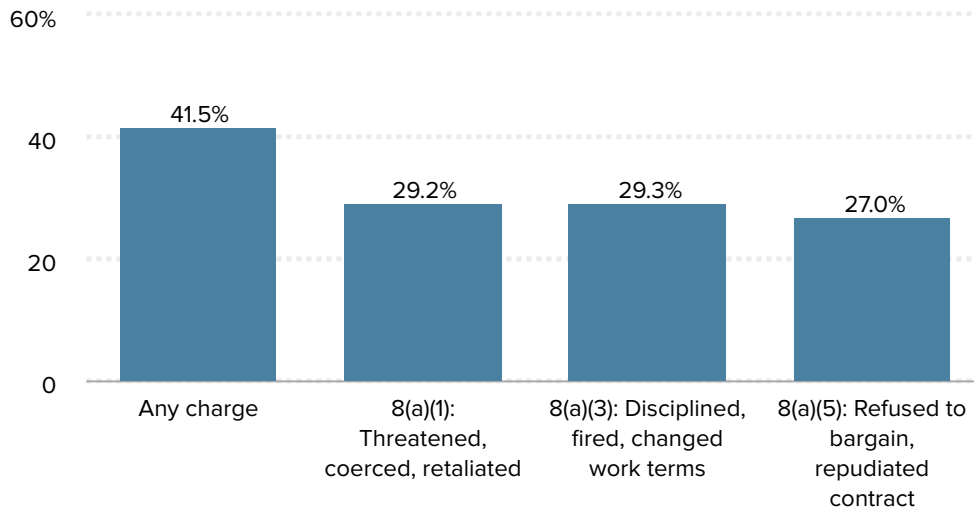
In a period of rising inequality (Gould and Kandra 2024; Bivens et al. 2024) and record corporate profits (Bivens 2023), it is no surprise workers want unions. When workers are able to collectively bargain, their wages, benefits, and working conditions improve (Bivens et al. 2017). On average, a worker covered by a union contract earns 10.2% more than a nonunionized peer in the same sector with similar education, occupation, and experience and has greater access to paid sick and vacation days, health insurance, and retirement benefits (Banerjee et al. 2021).

The growing gap between the millions of U.S. workers who say they want a union and the low percentage of workers who have been able to access union coverage is explained in part by broken, outdated federal and state labor laws. As noted above, federal labor law (the NLRA) has been weakened, both by court decisions and major 1947 amendments modeled in part on Colorado’s anti-union state law (Seligson 1959). Today, employers routinely exploit weaknesses in the law, mounting aggressive opposition to worker organizing and violating workers’ rights to organize with relative impunity.

Figure A

## Employers are charged with an unfair labor practice (ULP) in four out of 10 union elections

Share of all union elections with a ULP charge against the employer, by type of charge, for elections for which a petition was filed or the election was completed in 2016–2017



**Notes:** ULP charges are charges that an employer violated Section 8(a) of the labor code by interfering with workers' rights to form a union and bargain collectively. Specific charge types 8(a)(1), 8(a)(3), and 8(a)(5) refer to sections of the labor code governing these rights. "Any charge" refers to any violation of Section 8(a) of the labor code (parts 1–5).

**Source:** Reprinted from Figure A in McNicholas et al. 2019.

**Economic Policy Institute**

Employers are charged with violating federal law in 41.5% of all union election campaigns, as shown in **Figure A**. And nearly a third of union election campaigns (29.3%) involve a charge that a worker was illegally disciplined, fired, or changed work terms for union activity. Beyond this, there are many legal tactics employers can use to thwart union organizing; employers spend roughly \$400 million annually on "union avoidance" consultants to help them stave off union elections (McNichols et al. 2019; McNichols et al. 2023; Logan 2025).

This combination of illegal conduct and legal coercion ensures that in practice, a majority of union elections are characterized by employer intimidation and in no way reflect the free, fair choice to join a union guaranteed to workers under the NLRA. Additionally, many state laws—like Colorado's—pose additional unnecessary obstacles to unionizing and limit workers' collective bargaining rights.

# Like so-called RTW laws in other states, Colorado’s anti-union law results in lower wages and benefits for all workers

**Figure B** shows states with right-to-work laws as of January 2025. Southern and Western states adopted the majority of RTW laws in the 1940s and 1950s. Since 2010, five additional states with historically above-average unionization rates—Indiana, Kentucky, Michigan, West Virginia, and Wisconsin—adopted right-to-work laws, newly limiting workers’ collective bargaining rights in those states. In 2023, Michigan became the first of these states to repeal its RTW law (thus is shown as a non-RTW state in the map; Sherer and Gould 2023).

RTW laws are designed to diminish workers’ collective power by prohibiting unions and employers from negotiating union security agreements into collective bargaining agreements, making it harder for workers to form, join, and sustain unions. As a result, states with RTW laws generally have lower unionization rates than non-RTW states (Cooper and Wolfe 2021).<sup>2</sup> **Figure C** displays the unionization rate by state, measured as a 2021–2024 average to smooth data volatility especially pronounced in smaller states. It’s clear from the lighter shading in states with RTW policies, and in Colorado due to the LPA, that these laws continue to play centrally important roles in suppressing union membership levels in these states.

**Figure D** displays unionization rates in each year from 1983 to 2024, grouping states into three categories: RTW, non-RTW, and Colorado on its own because of its second election law. Notably, Colorado’s lower unionization rate closely resembles that of RTW states. The figure also illustrates the downward trend in union membership across the country over the last 40-plus years. The difference in unionization levels between RTW and non-RTW states remained striking throughout this period, and Colorado continues to track the experience of RTW states that limit workers’ collective bargaining rights.

Private-sector workers in RTW states are less likely to be covered by a union contract than peers in non-RTW states, even after controlling for other factors that can be related to unionization (such as industry, occupation, education, age, gender, race, ethnicity, and foreign-born status; Jones and Shierholz 2018).

Consequently, all workers (whether unionized or not) in states with RTW laws tend to have lower wages. On average, workers in states with anti-union laws earn 3.2% less than their counterparts in states without such laws, translating to \$1,670 less per year on average for a full-time worker (Sherer and Gould 2024). Workers in RTW states also experience reduced access to health and retirement benefits, and less safe workplaces—including a roughly 14% higher rate of occupational fatalities (Zoorob 2018).

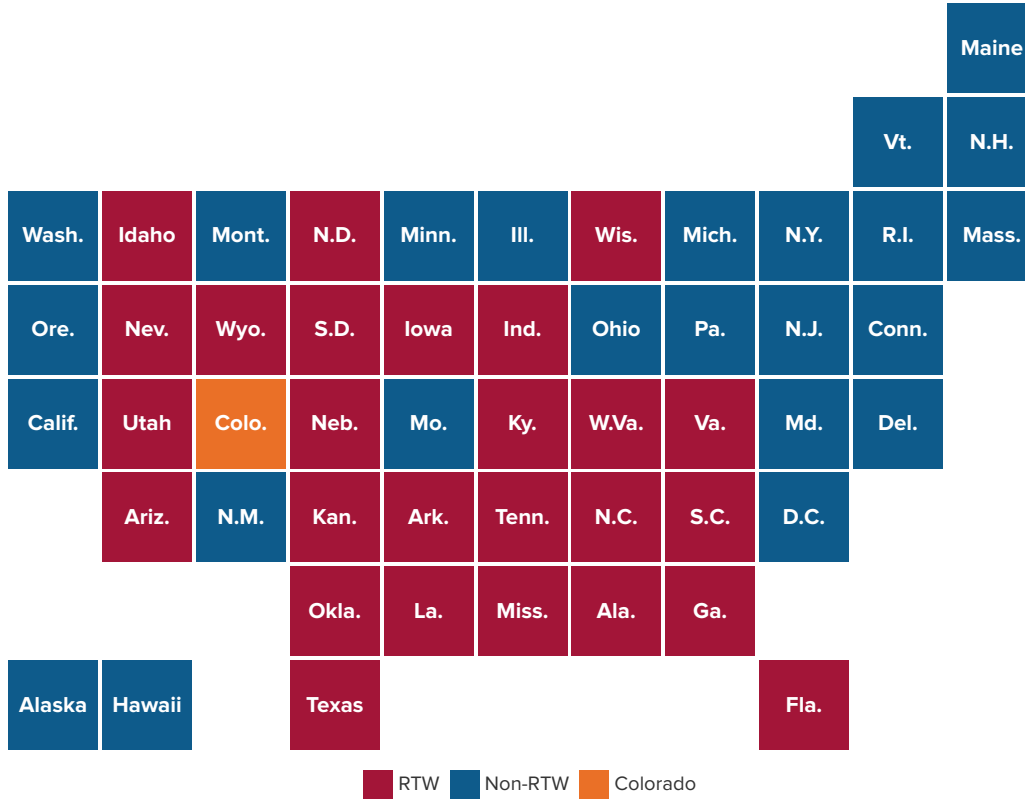


Private-sector unionized workers are more likely to have these valuable workplace benefits. **Figure E** illustrates that unionized workers are 72% more likely to have employment-provided health insurance and 64% more likely to have employment-provided retirement benefits than their nonunion counterparts. About three-quarters of union workers have employer-provided health benefits compared to less than half of nonunion workers while over four-fifths of union workers have retirement benefits compared with half of nonunion workers.

Figure B

## States with anti-union laws restricting collective bargaining rights

States with statutory restrictions on all workers' collective bargaining rights due to so-called right-to-work laws



**Notes:** Right-to-work status determined as of January 2025. Colorado prohibits unions and employers from negotiating over union security (as RTW states do) except in cases where a union has won a state-administered second election by a super-majority.

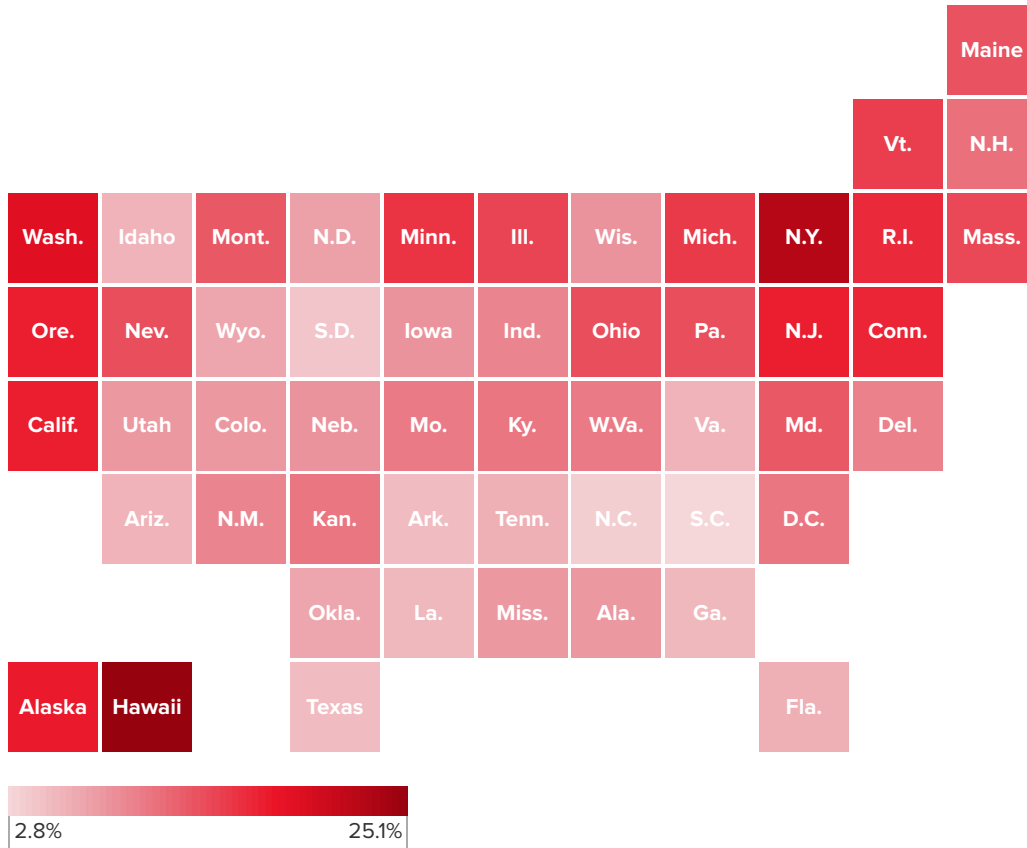
**Source:** Author's analysis of "Right-to-Work States," National Conference of State Legislatures.

**Economic Policy Institute**

Figure C

## State policy differences yield large variations in unionization rates by state

Union density for all workers by state, 2021–2024 average



**Notes:** Data refer to workers ages 16+. Self-employed and self-incorporated workers are excluded. Union density is defined as the share of workers in the state who are represented by a union, including union members and other workers who are covered by a union contract, based on the variable “union” from EPI extracts of CPS-ORG microdata. We average union density data across 2021 to 2024 for each state to give a more accurate estimate of states’ typical unionization rates in recent years.

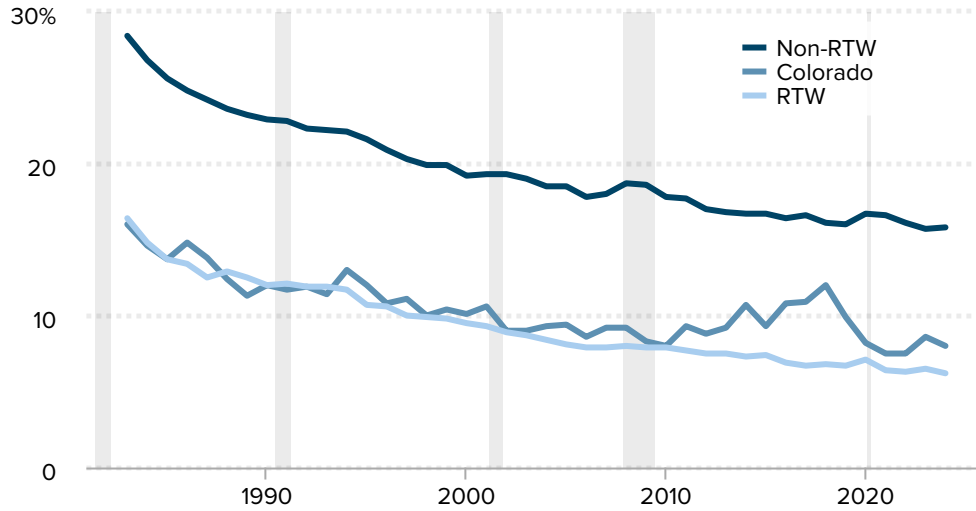
**Source:** Economic Policy Institute. 2024. Current Population Survey Extracts, Version 1.0.60, <https://microdata.epi.org>, 2021–2024 data.

**Economic Policy Institute**

Figure D

## Colorado resembles a RTW state

Union density rates, Colorado compared to RTW and non-RTW states, 1983-2024



**Note:** Lines are weighted averages of two groups of states: those without right-to-work laws (excluding Colorado) and those with right-to-work laws. Right-to-work status determined as of January 2025. Union density is defined as the share of workers in the state who are represented by a union, including union members and other workers who are covered by a union contract, based on the variable “union” from EPI extracts of CPS-ORG microdata. Shaded areas represent recessions.

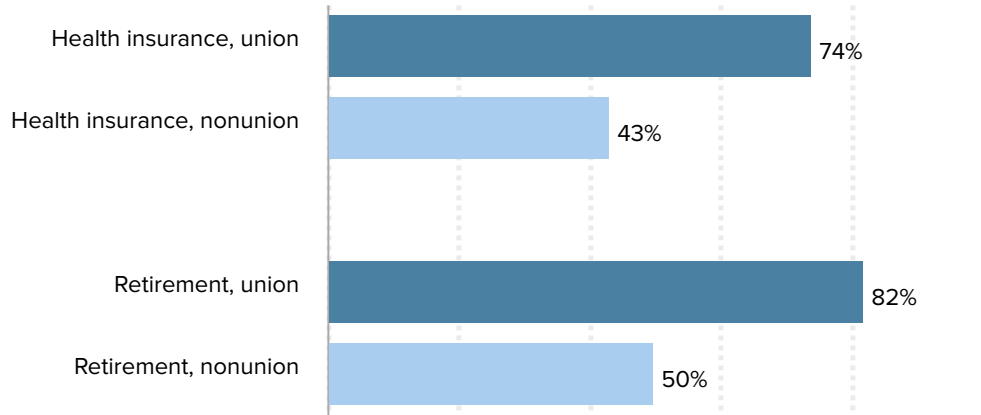
**Source:** EPI analysis of Economic Policy Institute. 2024. Current Population Survey Extracts, Version 1.0.60, <https://microdata.epi.org>.

**Economic Policy Institute**

Figure E

## Union workers are far more likely to have employer-provided health and retirement benefits

Share of private-sector workers with health insurance and retirement benefits, by union status, 2024



Source: EPI analysis of 2024 [National Compensation Survey](#) data from the Bureau of Labor Statistics.

**Economic Policy Institute**

# By weakening unions, anti-union state laws fuel economic inequality

State policies like RTW laws that constrain workers' rights to unionize and collectively bargain are fundamentally linked to key economic and labor market outcomes—including measures of inequality. Data show that unions reduce income inequality across the economy (Banerjee et al. 2021), counteract racial and gender labor market inequities (EPI 2021), and reduce public-sector pay gaps (Morrissey and Sherer 2022).

Through bringing workers' collective power to the bargaining table, unions are able to win better wages and benefits for working people—reducing income inequality as a result. As shown in **Figure F**, there was less income inequality in decades in which union density was higher.<sup>3</sup> But as unionization rates declined—particularly after 1979—income inequality grew.

Similarly, declining unionization rates in Colorado have been accompanied by a rising share of income accruing to the top 10% and Colorado's income inequality has become even more extreme than national income inequality. **Figure G** shows that declines in Colorado's unionization rate since 1978 were accompanied by a stark increase in income inequality, with the share of income going to the top 10% growing from just under one-third (31%) to now nearly half (48%) of all income in the state.

The erosion of collective bargaining over the last four decades has suppressed workers' wages across the country. Median wages would be 7.9% higher if unionization hadn't declined between 1979 and 2017 (Mishel 2021). This translates into over \$3,900 annually in lost wages for a full-time worker.<sup>4</sup>

While Colorado's anti-union state law is unique and bears a different label, it's had a similar impact: At 7.7%, Colorado's 2024 union membership rate was 22% below the national average of 9.9%. If we use the more expansive definition of unionization to include not only union members, but also those covered by a union contract, Colorado's 2024 unionization rate was 28% below the national average (8.0% versus 11.1%).<sup>5</sup>

All workers are disadvantaged in states where laws have suppressed unionization, but disparities are especially pronounced for women and workers of color because of the role unions play in counteracting labor market discrimination and ensuring equal pay for equal work (Jones and Shierholz 2018; EPI 2021). For example, EPI research has shown that declining unionization rates are a major factor in the persistence and expansion of the Black–white wage gap in recent decades (Wilson and Rodgers III 2016).

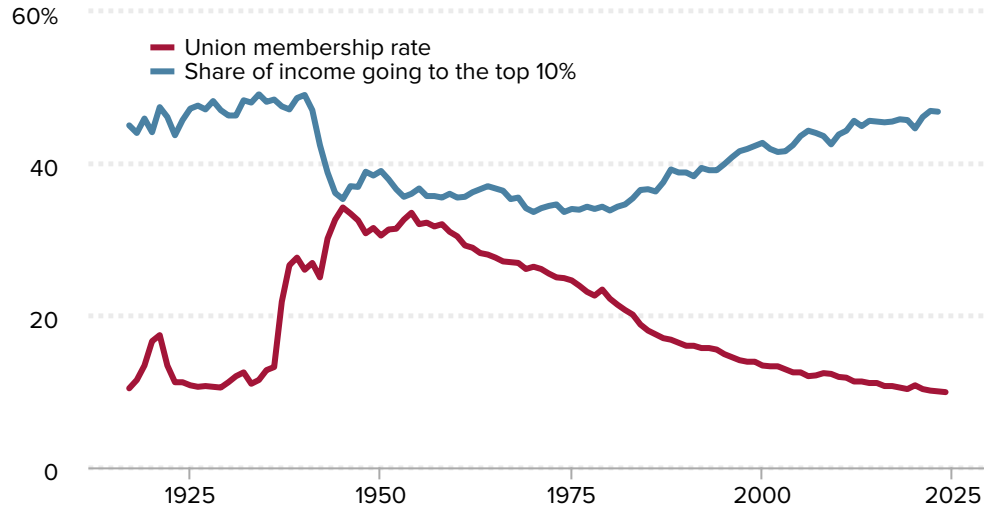
Meanwhile, blocking workers' access to unions especially benefits the rich and fuels income inequality. Four decades of declining unionization rates have ushered in sharp increases in the share of incomes going to the top 10%, staggering increases in CEO pay, and wage suppression for workers (EPI 2021). Nationally, the typical or median worker would have earned \$1.56 more per hour (the equivalent of \$3,250 per year) in 2017 had

unionization rates held steady since 1979 (Mishel 2021).

Figure F

## As union membership declines, income inequality increases

Union membership and share of income going to the top 10%, 1917–present



**Note:** Data prior to 1983 report union density as a share of non-agricultural employment while more recent data report union density as a share of overall employment to remain consistent with government reporting. The small difference based on alternative methods has no bearing on the economic findings shown.

**Source:** Data on union membership from [Freeman \(1997\)](#) from 1917 to 1982, updated to the present using [Bureau of Labor Statistics](#), series ID: LUU0204899600. Income inequality data (top 10% share of pre-tax income) are from the [World Inequality Database](#).

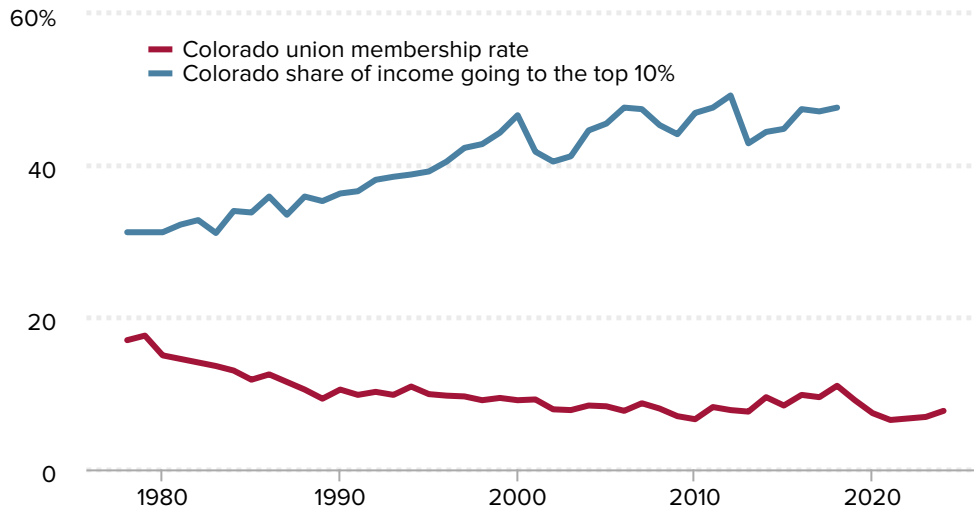
**Economic Policy Institute**



Figure G

## Limits on Colorado workers' right to unionize benefit the rich

Union membership and share of income going to the top 10%, 1978–2024



**Note:** Union data refer to workers 16 and older. Self-employed and self-incorporated workers are excluded from the sample. Union membership data in 1981 are suppressed due to insufficient sample size. Union membership data are not available in the 1982 Current Population Survey.

**Source:** Authors' analysis of Economic Policy Institute. 2025. Current Population Survey, May Supplement (1978–1980) and Outgoing Rotation Group (1983–2024) Extracts, Version 1.0.60, <https://microdata.epi.org>. Income inequality (share of income to top 10%) data are from the [World Income Database](#).

**Economic Policy Institute**

# Conclusion

It will take fundamental reform of our labor laws to rebalance and rebuild an economy capable of generating shared prosperity. At the state level, this reform must start with eliminating unnecessary hurdles to unionization, which Colorado lawmakers have the opportunity to do this year.

Following New Hampshire's repeated rejection of RTW proposals (Skipworth 2025), Michigan's 2023 repeal of RTW (Sherer and Gould 2023), and Missouri's 2018 ballot initiative to reverse RTW laws, Colorado could become the latest state to protect or restore workers' collective bargaining rights in recent years. Such state action is especially critical at a moment when the future of federal labor law is in question.

The second election requirement is a relic of an anti-union era of Colorado's history defined by intense and often violent employer hostility to worker organizing in which state government was frequently an active partner. Today, at a moment when workers are looking to unions as critical vehicles for fixing what's broken in our wildly unequal economy, it's Colorado's turn to play a leading role in helping to restore worker bargaining power after decades of its erosion.

---

# Acknowledgements

The authors are grateful to Emma Cohn and Joy Donnelly for excellent research assistance and to Penelope Kyritsis for expert editing.

# Notes

1. Colorado General Assembly, SB25-005, "Worker Protection Collective Bargaining," <https://leg.colorado.gov/bills/sb25-005>.
2. Unionization rates are measured as the share of workers in each state who are either a member of a union or represented by a union contract.
3. In Figure E, we use a slightly different definition of unionization because it is the only one available in the earlier years of data shown in the figure; to match Figure E, we use the same definition in Figure F. This is the union membership rate, slightly lower than the union coverage rate discussed in earlier charts because it does not include non-members who are nonetheless covered by a union contract.
4. Here, we are extrapolating from 2017 applying the 7.9% difference to the median hourly wage of \$23.98 in 2023. For a full-time worker, this yields a difference of \$3,940 per year. Further, this is likely a lower bound given the continued decline in unionization of 0.8 percentage points since 2017.

5. For more state-by-state comparisons on unionization, please visit EPI's new State of Working America data library (EPI 2025).

## References

- Andrews, Thomas G. 2010. *Killing for Coal: America's Deadliest Labor War*. Boston, MA: Harvard University Press.
- Athearn, Frederic. 1985. *Land of Contrast: A History of Southeast Colorado*. Denver, CO: U.S. Bureau of Land Management.
- Banerjee, Asha, Margaret Poydock, Celine McNicholas, Ihna Mangundayao, and Ali Sait. 2021. *Unions Are Not Only Good for Workers, They're Good for Communities and for Democracy: High Unionization Levels Are Associated with Positive Outcomes Across Multiple Indicators of Economic, Personal, and Democratic Well-Being*. Economic Policy Institute, December 2021.
- Bivens, Josh. 2023. "Even With Today's Slowdown, Profit Growth Remains a Big Driver of Inflation: In Recent Years Corporate Profits Have Contributed to More Than a Third of Price Growth." *Working Economics Blog* (Economic Policy Institute), March 30, 2023.
- Bivens, Josh, Lora Engdahl, Elise Gould, Teresa Kroeger, Celine McNicholas, Lawrence Mishel, Zane Mokhiber, Heidi Shierholz, Marni von Wilpert, Valerie Wilson, and Ben Zipperer. 2017. *How Today's Unions Help Working People: Giving Workers the Power to Improve Their Jobs and Unrig the Economy*. Economic Policy Institute, August 2017.
- Bivens, Josh, Elise Gould, and Jori Kandra. 2024. *CEO Pay Declined in 2023: But It Has Soared 1,085% Since 1978 Compared with a 24% Rise in Typical Workers' Pay*. Economic Policy Institute, September 2024.
- Bureau of Labor Statistics, Current Population Survey (BLS-CPS). Various years. Public data series accessed via BLS website "Data Tools" tab, series ID: [LUU0204899600](#). Accessed February 2025.
- Bureau of Labor Statistics, National Compensation Survey (BLS-NCS). 2024a. "Table 1. Retirement benefits: Access, participation, and take-up rates," *Employee Benefits in the United States*, March. Accessed February 25, 2025.
- Bureau of Labor Statistics, National Compensation Survey (BLS-NCS). 2024b. "Table 2. Medical care benefits: Access, participation, and take-up rates," *Employee Benefits in the United States*, March. Accessed February 25, 2025.
- Cooper, David, and Julia Wolfe. 2021. *So-Called Right-to-Work is Wrong for Montana: Research Shows RTW Law Would Not Boost Jobs and Could Lower Wages for Both Union and Nonunion Workers*. Economic Policy Institute, February 2021.
- Davis, James H. 2023. "Colorado Under the Klan." *History Colorado*, December 6, 2023.
- DeStefanis, Anthony. 2004. "Guarding Capital: Soldier Strikebreakers on the Long Road to the Ludlow Massacre." PhD diss., College of William and Mary.
- Dixon, Marc. 2007. "Limiting Labor: Business Political Mobilization and Union Setback in the States." *Journal of Policy History* 19, no. 3 (July): 313–344. doi:10.1353/jph.2007.0015
- Economic Policy Institute (EPI). 2021. *Unions Help Reduce Disparities and Strengthen Our*

*Democracy* (fact sheet). April 23, 2021.

Economic Policy Institute. 2025. Current Population Survey Extracts, Version 1.0.60, <https://microdata.epi.org>.

Freeman, Richard B. 1997. "Spurts in Union Growth: Defining Moments and Social Processes." National Bureau of Economic Research Working Paper no. 6012, April 1997. <https://doi.org/10.3386/w6012>

Gorhan Rice Jr., William. 1942. "The Law of the National War Labor Board." *Law and Contemporary Problems* 9, no. 3 (Summer 1942): 470–490.

Gould, Elise, and Jori Kandra. 2024. "Wage Inequality Fell in 2023 Amid a Strong Labor Market, Bucking Long-Term Trends: But Top 1% Wages Have Skyrocketed 182% Since 1979 While Bottom 90% Wages Have Seen Just 44% Growth." *Working Economics Blog* (Economic Policy Institute), December 11, 2024.

Hogler, Raymond. 2007. "Right to Work and the Colorado Labor Peace Act: How Politics Trumped Policy." *Labor Law Journal* 58, no. 2 (Summer 2007): 85–95.

Hogler, Raymond. 2009. "The 2008 Defeat of Right-to-Work in Colorado: Is It the End of Section 14(b)?" *Labor Law Journal* 60, no. 1 (April): 5–15.

Jones, Janelle, and Heidi Shierholz. 2018. *Right-to-Work is Wrong for Missouri: A Breadth of National Evidence Shows Why Missouri Voters Should Reject RTW Law*. Economic Policy Institute, July 2018.

Kratz, Jessie. 2018. "'You Can't Dig Coal With Bayonets'." *Pieces of History* (National Archives), July 11, 2018.

*Labor Peace Act* (LPA), 1943 Assemb., Reg. Sess. (Col. 1943).

Logan, John. 2025. *Corporate Union Busting in Plain Sight: How Amazon, Starbucks, and Trader Joe's Crushed Dynamic Grassroots Worker Organizing Campaigns*. Economic Policy Institute, January 2025.

Mariam, Sophie. 2024. *Strong Unions Mean Strong Economic Outcomes For All Coloradans: Examining Research on the Economic Benefits of Unions, the Effects of Colorado's Restrictive Labor Laws on Workers' Bargaining Freedom, and the Potential Advantages of Modernizing These Laws to Facilitate Unionization and Enhance Workers' Rights*. Colorado Fiscal Institute, November 2024.

McNicholas, Celine, Margaret Poydock, Julia Wolfe, Ben Zipperer, Gordon Lafer, and Lola Loustaunau. 2019. *Unlawful: U.S. Employers Are Charged With Violating Federal Law in 41.5% of All Union Election Campaigns*. Economic Policy Institute, December 2019.

McNicholas, Celine, Margaret Poydock, Samantha Sanders, and Ben Zipperer. 2023. *Employers Spend More Than \$400 Million Per Year on 'Union-avoidance' Consultants to Bolster Their Union-Busting Efforts*, Economic Policy Institute, March 2023.

McNicholas, Celine, and Eve Tahmincioglu. 2022. *Union Approval Hits Highest Point Since 1965: Here's Why This Isn't Surprising*. Economic Policy Institute, August 2022.

Mishel, Lawrence. 2021. *The Enormous Impact of Eroded Collective Bargaining on Wages*. Economic Policy Institute, April 2021.

Morrissey, Monique, and Jennifer Sherer. 2022. *Unions Can Reduce the Public-Sector Pay Gap: Collective Bargaining Rights and Local Government Workers*. Economic Policy Institute, March 2022.

- National Conference of State Legislatures (NCSL). n.d. “[Right-to-Work Resources](#)” (web page). Accessed February 25, 2025.
- National Labor Relations Act (NLRA), [29 U.S.C. § 151–169](#), 74<sup>th</sup> Cong. (1935).
- Phillips, Noelle. 2018. “[Colorado’s Long History — and Uncertain Present — With the KKK and Other Hate Groups](#).” *Denver Post*, January 16, 2018.
- Phillips-Fein, Kim. 2009. *Invisible Hands: The Businessmen’s Crusade Against the New Deal*. New York: W.W. Norton.
- Pierce, Michael. 2017. “[The Origins of Right-to-Work: Vance Muse, Anti-Semitism, and the Maintenance of Jim Crow Labor Relations](#).” The Labor and Working-Class History Association, January 12, 2017.
- Pierce, Michael. 2018. “[Vance Muse and the Racist Origins of Right-to-Work](#).” *Expert Forum* (American Constitution Society), February 22, 2018.
- Seligson, Harry. 1959. “[Legislative Decision-Making in Labor Relations](#),” *Labor Law Journal* 10 (December): 895–911.
- Shelton, Jon. 2017. “[‘Compulsory Unionism’ and Its Critics: The National Right to Work Committee, Teacher Unions, and the Defeat of Labor Law Reform in 1978](#).” *Journal of Policy History* 29, no. 3: 378–402.
- Sherer, Jennifer, and Elise Gould. 2023. “[Why ‘Right-to-Work’ Was Always Wrong for Michigan Restoring Workers’ Rights is Key to Reversing Growing Income Inequality in Michigan](#).” *Working Economics Blog* (Economic Policy Institute), March 13, 2023.
- Sherer, Jennifer, and Elise Gould. 2024. “[Data Show Anti-Union ‘Right-to-Work’ Laws Damage State Economies: As Michigan’s Repeal Takes Effect, New Hampshire Should Continue to Reject ‘Right-to-Work’ Legislation](#).” *Working Economic Blog* (Economic Policy Institute), February 13, 2024.
- Shierholz, Heidi, Celine McNicholas, Margaret Poydock, and Jennifer Sherer. 2024. [Workers Want Unions, but the Latest Data Point to Obstacles in Their Path](#). Economic Policy Institute, January 2024.
- Skipworth, William. 2025. “[New Hampshire House Once Again Rejects Right-to-Work Legislation](#).” *New Hampshire Bulletin*, February 13, 2025.
- Wilson, Valerie, and William M. Rodgers III. 2016. [Black-White Wage Gaps Expand with Rising Wage Inequality](#). Economic Policy Institute, September 20, 2016.
- World Inequality Database. n.d. “[Income inequality, USA, 1820-2023](#)” (web page). Accessed February 25, 2025.
- World Inequality Database. n.d. “[Income inequality, Colorado, 1917-2018](#)” (web page). Accessed February 25, 2025.
- Zoorob, Michael. 2018. “[Does ‘Right to Work’ Imperil the Right to Health? The Effect of Labour Unions on Workplace Fatalities](#).” *Occupation & Environmental Medicine* 75, no. 10 (June 2018): 736–738.