Economic Policy Institute
THE WORKING PEOPLE'S THINK TANK

Everything you need to know about anti-union "right-to-work" laws

FAQ • By Jennifer Sherer, Nina Mast, Elise Gould, and Emma Cohn • September 1, 2026

SECTIONS

Worker interest in unions is at historic highs, and nearly 70% of the public approves of unions. Yet most of the 56 million workers who say they want a union contract can't get one because of weak federal labor law and the spread of state anti-union "right-to-work" (RTW) laws. Suppression of union membership has in turn lowered workers' wages and benefits while inequality has skyrocketed. This FAQ examines the meaning, origins, and impact of anti-union RTW laws, and the importance of restoring workers' collective bargaining power by removing RTW laws and other obstacles to unionization.

Key Takeaways

- The label "right to work" is intentionally misleading. RTW laws provide no job protections. What they do is make it harder for workers to form and sustain strong unions.
- RTW laws are intended to weaken unions. They are linked to lower unionization rates, lower wages and benefits, and worse safety outcomes for all workers.
- RTW laws have racist, anti-union origins dating to the 1940s. For decades, big business and white supremacist groups promoted RTW laws to diminish workers' collective bargaining rights and block multiracial organizing.
- RTW laws don't boost job growth but do erode job quality and increase inequality.
- Trends on RTW are reversing. No state has adopted a new RTW law since 2017, and multiple states have repealed or rejected RTW.

What is a “right-to-work” law?

In brief: In the U.S., so-called right-to-work (RTW) laws are anti-union state policies designed to weaken unions and limit workers’ bargaining power. Despite the misleading name, RTW laws do not provide any sort of job protection. Instead, state RTW laws prohibit any requirement that workers covered by a union contract either join the union or contribute toward the cost of union representation. Because RTW laws make it more difficult to form and sustain unions, RTW states have lower unionization rates, which translate to lower wages, fewer benefits, and greater inequality for all workers.

In detail: So-called right-to-work laws have an intentionally misleading name: They do not provide any sort of job protection or job rights. Rather, they allow state policymakers to interfere with private-sector workers’ federally protected rights to form unions and collectively bargain with their employers. RTW laws are designed to suppress unionization, and data show they result in lower wages and benefits for all workers.

RTW laws have for decades allowed state governments to suppress unions without outright prohibiting private-sector workers from unionizing (which would be illegal under federal law). RTW laws do not outlaw unions, but they make it harder for workers to establish and maintain them. In states with RTW laws, employers and unions are barred from negotiating what’s called a “union security” agreement.

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 a fee to cover their share of costs of contract and workplace representation benefits. 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 anti-union employers (who spend millions each year on efforts to bust unions) 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, such labor law violations remain commonplace and generally result in few or no consequences for employers under existing weak labor laws.

Constraints on bargaining rights imposed by RTW laws can deter workers from organizing new unions in RTW states. RTW laws especially disincentivize organizing in sectors where low wages and difficult working conditions have led to high worker turnover. While workers can and do still form unions in RTW states, RTW states have far fewer unionized workers overall—leaving workers in RTW states with less bargaining power and less political power than workers in other states.

How do "right-to-work" laws affect workers' wages and benefits?

In brief: On average, workers in "right-to-work" states experience lower wages and less access to health care, retirement, and other benefits. Even after controlling for other factors, workers in RTW states are paid 6.7% less on average than workers in non-RTW states. **In detail:** New EPI research finds that workers in RTW states are paid on average 6.7% less than workers in non-RTW states. For a median full-time worker, this translates to over $4,000 less per year. RTW laws result in lower worker wages and benefits both by limiting access to unions and because states with such laws are far more likely to adopt additional anti-worker policies that further suppress wages.

When more workers have unions and are able to collectively bargain, their wages, benefits, and working conditions improve. On average, a worker covered by a union contract is paid 14.2% more than a nonunionized peer (after controlling for gender, race and ethnicity, citizenship, education, marital status, age, industry, occupation, class of worker, and state). **Figure A** shows unionized workers are 32% more likely to have employment-provided health insurance and 30% more likely to have employment-provided retirement benefits than their non-union counterparts. Three-quarters to four-fifths of union workers enjoy at least one of these workplace benefits, compared with only about half of non-union workers.

Figure A: 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, 2025

Source: EPI analysis of 2025 National Compensation Survey data from the Bureau of Labor Statistics. • Get the data • Created with Datawrapper

Unionized workers are more likely to have access to paid sick leave, paid vacation, and paid holidays than nonunionized workers. **Figure B** displays paid leave by union status and shows that union workers are significantly more likely to have access to paid leave than nonunion workers.

Figure B: Union workers are more likely to have paid leave

Share of private-sector workers with select paid leave benefits, by union status, 2025

Source: EPI analysis of 2025 National Compensation Survey data from the Bureau of Labor Statistics. • Get the data • Created with Datawrapper

Because RTW laws suppress unionization rates, fewer workers in RTW states have direct access to a union contract that includes these benefits, and in aggregate, wages and benefits are lower for all workers in RTW states—union and nonunion alike. This is because unions also boost wages and benefits for nonunion workers. The "spillover" effects of unions on the nonunion sector are significant and increase when union density is high. The lower unionization rates of RTW states are also highly correlated with other anti-worker state policies, such as lower minimum wages, less generous unemployment insurance, and less access to paid leave. It's not surprising that as a result, workers in RTW states have lower wages and fewer benefits.

Do "right-to-work" laws protect workers from being fired or help workers get jobs?

In brief: No. Despite the misleading name, "right-to-work" laws do not provide any sort of job protection or right to a job. In fact, RTW laws make it less likely that workers will have a union contract that includes protections from unjust termination.

In detail: As Martin Luther King, Jr. pointed out in 1961, "right to work" is a "false slogan" since RTW laws provide neither rights nor work and are in fact designed "to rob us of our civil rights and job rights [and] to destroy labor unions and the freedom of collective bargaining by which unions have improved wages and working conditions of everyone."

Without a union contract, most workers in the U.S. have no protection from unjust discipline or firing. Under federal law (and in every state except Montana), employment is presumed to be "at will," meaning that an employer can choose to hire or fire an employee at any time for any reason or no reason at all (with a few exceptions, i.e., employers cannot legally discriminate based on a worker's race, sex, gender, disability, or other protected characteristics).

Union contracts typically include "just cause" provisions, which require employers to follow a fair process before disciplining employees and to have a good reason to justify a termination. Under a union contract with "just cause" language and a grievance procedure, unions can appeal unfair terminations and, if necessary, have cases decided by a neutral arbitrator. The arbitrator's decision has the force of law and may require an employer to reinstate a worker to their job and/or provide backpay and other remedies if someone was unfairly fired. Nonunion workers do not have access to this important form of job security. By weakening unions, RTW laws effectively reduce the share of workers with "just cause" protections, leaving most workers' livelihoods subject to the whims of management, including unfair treatment due to nepotism or favoritism in some workplaces.

Does "right to work" protect individual workers from being forced to join a union or support causes they don't agree with?

In brief: No. So-called right-to-work laws do not grant workers any rights or protections they do not already have. Existing federal laws already prohibit requiring any worker to join a union or donate to union political funds.

In detail: Supporters of "right-to-work" laws often claim they are interested in protecting individual workers' "freedom" or "choice." In reality, all workers already have the ability to freely choose whether to work at a unionized firm, and workers who take a union job then get to decide whether to become a union member.

Workers who accept employment at any unionized firm will be agreeing to work under terms negotiated by the employer and the union in a collective bargaining agreement (which typically spells out wages, hours of work, "just cause" and seniority protections, paid time off, health insurance and retirement benefits, and much more). In non-RTW states, the contract may also include "union security" language specifying that those covered by it either join the union as a dues-paying member or contribute an agency fee toward the cost of union representation (this fee is calculated based on the percentage of overall union expenditures that are devoted to representation and bargaining, while excluding expenditures on other activities including member political education).

Contrary to common claims of anti-union groups that promote RTW laws, the primary goal of RTW laws is not to protect workers, but to weaken unions and limit workers' collective power. The real threat to workers' rights today is that labor laws have become too weak to protect against aggressive employer union busting; as a result, over 50 million workers who say they wish they had a union haven't been able to get one.

Where did “right-to-work” laws come from? Is RTW a racist policy?

In brief: So-called right to work laws first emerged in the 1940s as part of anti-union industry campaigns to suppress worker organizing and maintain Jim Crow labor relations in Southern states, during a period when unions had begun to grow rapidly following the passage of the National Labor Relations Act in 1935.

In detail: RTW laws are rooted in racism and are designed to maintain unequal power between workers and employers. In the late 1930s, unions grew quickly following passage of the National Labor Relations Act (NLRA), including in some industries where multiracial unions began to challenge the exploitation of Black, brown, and immigrant workers. In response, big business interests waged anti-union, explicitly white supremacist campaigns to limit worker power and undermine the new federal labor law.

After losing court challenges to the NLRA, business groups increasingly turned to state legislation in their attempts to stop the growth of unions. While many state legislative attempts to restrict workers’ federally protected union rights were struck down by courts, business lobbyists succeeded in codifying an exception for so-called right-to-work laws as part of major amendments to federal labor law included in the 1947 Taft-Hartley Act. Under Section 14b of the 1947 law, Congress granted states authority to restrict (but not expand) private-sector workers’ collective bargaining rights by enacting RTW laws. State RTW laws proliferated after Taft-Hartley went into effect, especially in Southern and Western states where RTW laws soon became the preferred tactic of state governments interested in blocking multiracial worker organizing.

Historians have traced the origins of state RTW proposals directly 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 which had begun organizing Black and white sharecroppers, factory workers, and miners into expansive industrial unions. Muse spent his career promoting RTW policies to Southern state lawmakers as key to maintaining the color line and stopping union organizing that threatened the racial hierarchies underpinning labor exploitation.

Who is pushing for RTW laws today?

In brief: In the U.S. today, support for RTW laws is coordinated by a well-established network of corporate or billionaire-funded think tanks and political organizations; lobby groups representing employers and business interests; and lawmakers with ties to these entities.

In detail: Because collective worker power poses a threat to unilateral employer control, employers have long spent considerable resources on a diverse array of tactics to block workers from organizing unions. This includes funding efforts to preserve or expand anti-union policies like RTW laws.

RTW is among the policy priorities supported by a large network of anti-union organizations seeking to maintain the outsized power of the wealthy and corporations—while minimizing the collective voice and influence of working people. Many of these groups are funded by the same set of billionaire-backed foundations, and they often work in coordination on campaigns to maintain and expand anti-union laws.

These groups use interlocking strategies that combine public relations and lobbying operations with targeted campaign donations and litigation to influence state legislation. Some of these groups also use more aggressive tactics that draw from the playbooks of anti-union consultants who specialize in blocking or busting new unions, such as directly targeting union members with propaganda campaigns urging them to quit their unions, or creating "alternative employee organizations" that function as anti-union front groups claiming to speak on behalf of workers.

Quick guide to a few of the organizations promoting anti-union state legislation

- **The National Right to Work Committee** specializes in lobbying and public relations campaigns in support of anti-union "right-to-work" laws with the goal of destroying labor unions. Its partner organization, the **National Right to Work Legal Defense Foundation**, uses the courts to attack labor unions and recruits clients to dissolve or sue unions.
- Anti-union groups heavily funded by billionaires like **Charles and David Koch** have become extremely influential in state legislatures in the past two decades. These include **Americans for Prosperity (AFP)**, a right-wing dark money group that maintains lobbyists and field staff in states across the country, and the **American Legislative Exchange Council (ALEC)**, which drafts and promotes model legislation reflecting the priorities of corporate donors in state legislatures. RTW laws are among the many anti-union state policies that AFP and ALEC promote.
- The Michigan-based **Mackinac Center** has long promoted RTW and other anti-union policies in Michigan's legislature, and in recent years has expanded its anti-union operations to other states. For example, the Center coordinated work on a 2018 national campaign urging teachers to leave their unions, and in 2025 was identified as the source of anti-union legislation introduced in Florida.
- The **Freedom Foundation**, based in Washington state, uses aggressive strategies to spread anti-union state laws and attempt to dismantle existing unions (including running operations that contact individual union members and urge them to leave their unions). In recent years, Freedom Foundation has especially focused on attacking teachers' unions, and in 2025 launched a new anti-union group called **Teacher Freedom Alliance**.

- The **Center for Union Facts** is a dark money group founded by corporate lobbyist Richard Berman that spreads anti-union propaganda, helps employers block union organizing efforts, and lobbies in opposition to worker rights legislation.
- Established national employer lobbying organizations like the **U.S. Chamber of Commerce,** the **National Federation of Independent Business (NFIB)**, and the **National Restaurant Association (NRA)** are often heavily involved in coordinating campaigns to spread RTW and other anti-union state legislation via their state chapters. Other large right-wing think tanks like the Heritage Foundation (the group behind Project 2025), also remain influential in supporting anti-union legislation and opposing legislation that expands workers' rights.

Which states have "right-to-work" laws?

In brief: As of 2026, 26 states have anti-union "right-to-work" laws. Additionally, Colorado has a unique anti-union state law that effectively imposes RTW conditions, bringing the total of states with RTW conditions in place to 27.

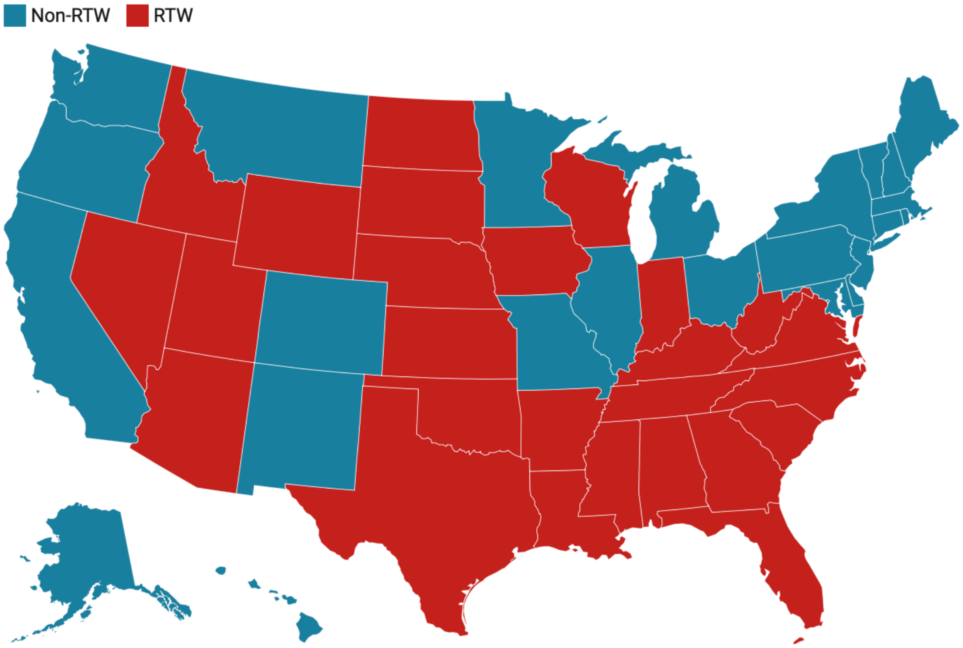
In detail: Twenty-six states have anti-union "right-to-work" laws in place. **Figure C** shows each state's RTW status as of 2026. States with RTW laws are red, and non-RTW states are blue. Additionally, Colorado state law effectively imposes RTW conditions by barring unions and employers from negotiating over union security unless workers pursue a state-administered "second election" that must be won by a supermajority.

States with RTW laws are concentrated primarily in the South, Midwest, and Mountain West. Southern states were the first to establish RTW laws—as early as 1944 in Arkansas and Florida. All Southern states with the exception of Delaware and Maryland—14 out of 16 Southern states—have such laws. More than half of states in the Midwest—seven out of 12—are currently RTW states. The remaining RTW states are in the Mountain West; five out of eight Mountain states are RTW. No states in the Northeast or Pacific regions have RTW laws.

Most RTW laws were passed in the mid-20th century, starting in Southern and Western states. Eighteen states adopted RTW laws in the 1940s and 1950s amid a national wave of big business and white supremacist campaigns to limit the growth of unions. Only four states adopted RTW laws between 1960 and 1999. One state (Oklahoma) adopted RTW in 2001. Then amid a new wave of nationally coordinated anti-union state legislative campaigns in the 2010s, five more states adopted RTW (including Michigan, which then repealed its RTW law in 2023).

Figure C: States with RTW laws limiting worker power

States with statutory restrictions on all workers' collective bargaining rights due to so-called "right-to-work" laws as of 2025



Source: Author's analysis of "Right-to-Work States," National Conference of State Legislatures. • Get the data • Created with Datawrapper

Have any states changed "right-to-work" laws in recent years?

In brief: Most RTW laws were passed in the mid-20th century. Between 2000 and 2017, six additional states passed new RTW laws. Since 2017, no state has adopted a new RTW law, and a growing list of states have rejected or repealed them.

In detail: Between 2000 and 2017, six states passed new RTW laws: Oklahoma (2001), Indiana and Michigan (2012), Wisconsin (2015), West Virginia (2016), and Kentucky (2017). Since 2017, no state has adopted a new RTW law, and states are increasingly rejecting or repealing them.

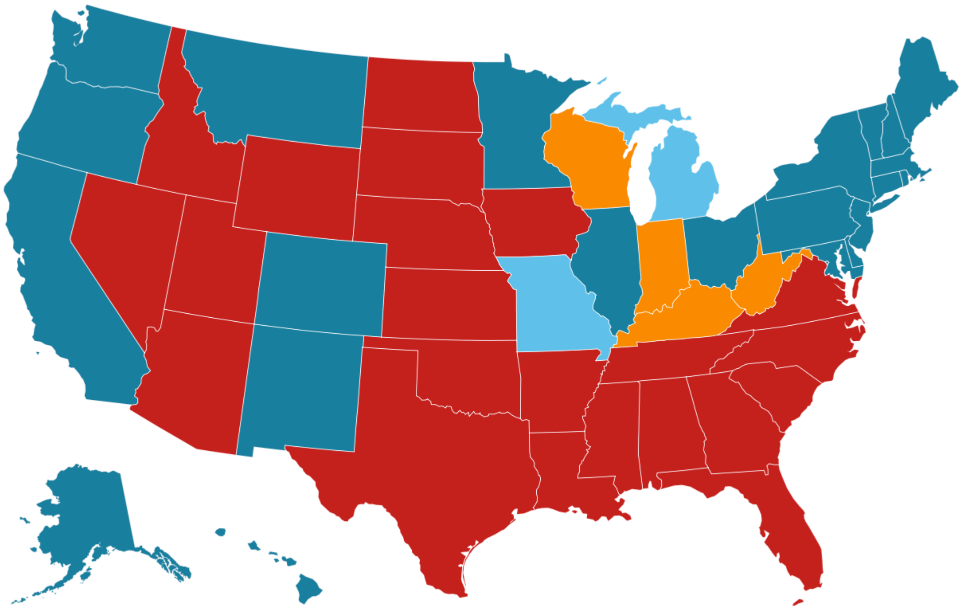
In 2018, Missouri voters overwhelmingly rejected RTW via a ballot measure, repealing a RTW law passed by the legislature in 2017. In 2019, New Mexico passed state legislation affirming federal rights of unions and employers to negotiate over union security and eliminating local RTW ordinances that some counties had previously adopted. In 2023, Michigan repealed its 2012 RTW law. In 2025, proposed RTW legislation in Montana failed for the third time in five years. In New Hampshire, RTW legislation has been rejected dozens of times, most recently in 2025.

In 2022, a supermajority of Illinois voters approved a constitutional amendment affirming workers' right to unionize and prohibiting any future restrictions on collective bargaining (including RTW proposals), and Vermont voters will consider a similar amendment this November.

Figure D: Four states have limited worker power since 2012

States by "right-to-work" status and year of implementation

Non-RTW | Post-2012 RTW | Pre-2012 RTW | RTW repeal



The four recent "switcher" states became RTW in 2012 (Indiana), 2015 (Wisconsin), 2016 (West Virginia), and 2017 (Kentucky). Michigan enacted RTW in 2013, then in 2023 became the first state in nearly 60 years to repeal a RTW law. This change took effect February 13, 2024. Missouri's legislature passed a RTW law in 2017, but voters overwhelmingly rejected the measure in a 2018 statewide referendum before the law took effect.

Source: Author's analysis of "Right-to-Work States," National Conference of State Legislatures. • Get the data • Created with Datawrapper

What does it mean if "right to work" is added to a state's constitution?

In brief: States with so-called right-to-work laws in place vary in whether they have adopted RTW through a legislative process or a constitutional amendment (or both). Legislation requires only the support of lawmakers and can be reversed in future legislative sessions, while constitutional amendments generally require both legislative and voter approval and are harder to reverse.

In detail: In every state except Delaware, the state legislature is required to seek voter approval to amend the state constitution. Constitutional amendments must be approved first by the state legislature and then by the state's voters—though the specific steps, rules, and procedures governing this process vary by state. Because constitutional amendments involve a multistep approval process, they are harder to reverse than legislation.

A total of 10 states have RTW embedded in their constitutions. Starting in the 1940s amid big business backlash against the growth of unions, six states adopted RTW constitutional amendments in the mid-20th century. More recently, amid another wave of nationally coordinated anti-worker state legislation starting in the 2010s, anti-union organizations have renewed efforts to pass RTW constitutional amendments in states that already have RTW laws. Alabama (a RTW state since 1953) approved a RTW constitutional amendment in 2016, the same year that voters in Virginia (a RTW state since 1947) rejected a proposed RTW amendment. Tennessee (a RTW state since 1947) approved a RTW amendment in 2022. A proposal for a RTW constitutional amendment in North Carolina (a RTW state since 1947) passed one chamber of the state legislature in 2026.

Other states have used constitutional amendments to protect—instead of to restrict—workers' collective bargaining rights. A handful of states have long had constitutional language in place affirming collective bargaining rights, and other states have been motivated to amend their constitutions to affirm the collective bargaining rights of all employees and explicitly prohibit RTW-style legislation that limits workers' bargaining rights. In 2022, a supermajority of Illinois voters approved a constitutional amendment affirming workers' rights to unionize and prohibiting any future restrictions on collective bargaining (including RTW proposals), and Vermont voters will consider a similar amendment in November 2026.

Do "right-to-work" laws affect jobs and job growth? Are anti-union "right-to-work" states better for businesses?

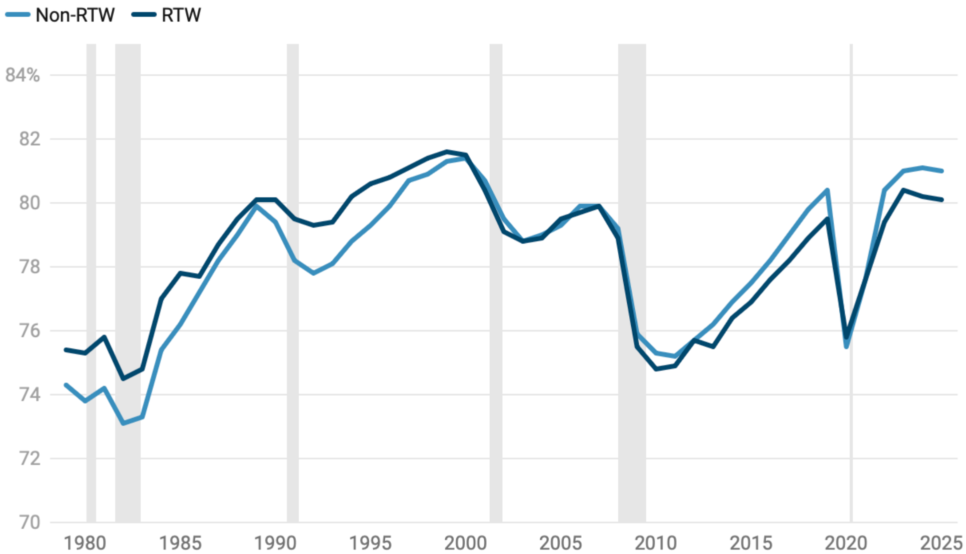
In brief: RTW laws erode job quality without creating job growth. There are no measurable differences between employment rates in RTW states and non-RTW states.

In detail: Despite persistent claims from business lobbyists that using so-called right-to-work laws to weaken unions will lead to job growth, comparisons of RTW and non-RTW states over decades show no relationship between employment rates and RTW status. **Figure E** illustrates the prime-age employment-to-population ratio—the share of the population ages 25–54 with a job—in two groups of states, determined by contemporaneous RTW status. For instance, Oklahoma will show up as non-RTW in the chart from 1979 to 2000 and then as RTW from 2001 to 2025. The figure shows no clear difference in prime-age employment-to-population ratio between states with or without RTW laws. Employment trends across both sets of states reflect fluctuations within business cycles; recessions are shaded in grey.

Prior studies have likewise shown no causal link between a state's RTW status and job growth. For example, studies of Oklahoma after the state enacted RTW in 2001 found a significant reduction in private-sector unionization, but no measurable effect on employment growth. When studies have claimed to find such effects, it is often because they fail to control for other critical factors, such as education levels of the workforce, proximity to transportation hubs, technological advances, or natural resources. Other studies examining state economic performance across Southern U.S. states from 1964 to 2004 have found that RTW status has no relationship to state economic outcomes.

Figure E: **Right-to-work does not buy any advantage in creating jobs for state residents**

Prime-age (25–54) employment as a share of population, by "right-to-work" status



Notes: Lines are weighted averages of two sets of states: those with and without RTW laws, with status determined in year of calculation. Shaded areas represent recessions.

Source: EPI analysis of Economic Policy Institute. 2026. Current Population Survey Extracts, Version 2026.7.8, https://microdata.epi.org. • Get the data • Download image • Created with Datawrapper

Instead, RTW laws erode job quality by suppressing unionization and limiting workers' bargaining power. As a result, workers in RTW states have lower wages and fewer benefits than workers in other states, whether they are members of unions or not.

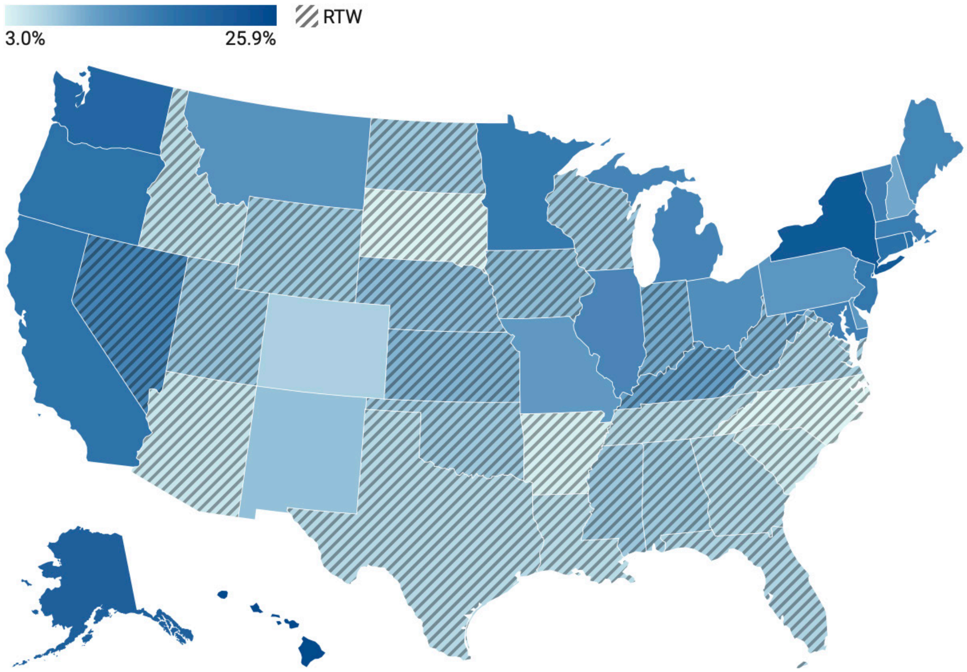
How do anti-union state laws like "right-to-work" affect union membership rates?

In brief: "Right-to-work" laws are designed to suppress union membership, and states with RTW laws have lower unionization rates. Workers in states without RTW restrictions are more than twice as likely to be in a union or covered by a union contract than workers in RTW states.

In detail: States with RTW laws restricting workers' collective bargaining rights have lower unionization rates than states without such restrictions. RTW laws suppress union membership and reduce workers' bargaining power. **Figure F** displays states by current unionization rate using a blue color scale, with lighter shades denoting lower unionization rates and darker shades denoting higher ones. Current RTW status is displayed with a cross hatch.

Figure F: States with anti-union laws restricting collective bargaining rights have lower unionization rates

States with statutory restrictions on all workers' collective bargaining rights due to so-called "right-to-work" laws and union density rates



RTW status is determined as of 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.

Source: Author's analysis of "Right-to-Work States," National Conference of State Legislatures and Economic Policy Institute, Current Population Survey Extracts, Version 2026.6.10, https://microdata.epi.org. • Get the data • Created with Datawrapper

Unionization rates vary by state, ranging from 3% in North Carolina to 25.9% in Hawaii. Figure F shows unionization rates for each state as of 2025, showing that states with lower unionization rates are more likely to be states with RTW laws.

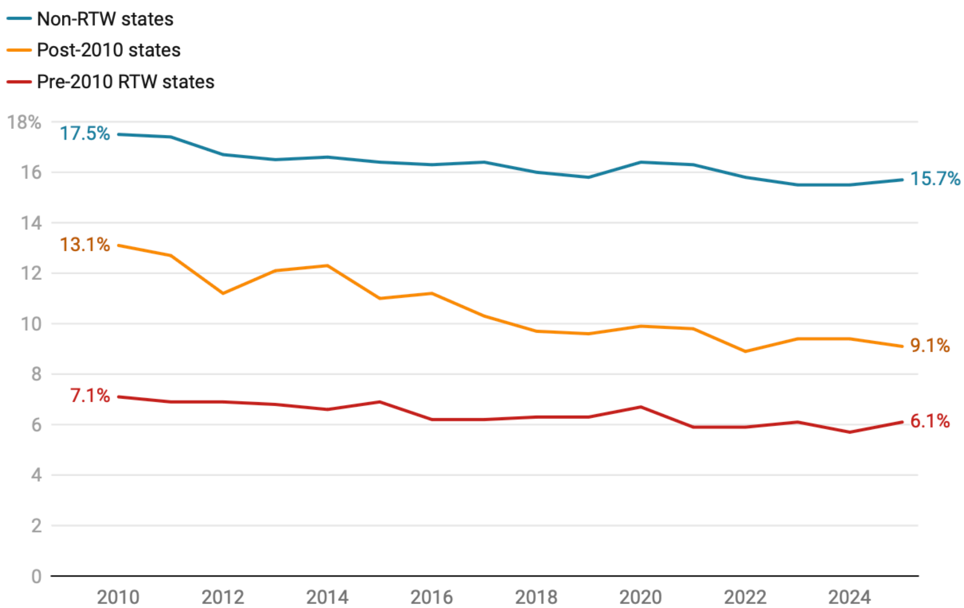
Figure G displays trends in unionization rates between 2010 and 2025, and groups states into three categories by RTW status. These data further illustrate the overall pattern from Figure F: RTW states have lower unionization rates.

Unionization rates among states with RTW laws in place for at least the last 20 years average 6.1%, while non-RTW states as of 2025 had average unionization rates 2.5 times as high at 15.7%. The unionization rate in states that adopted RTW laws more recently—those that became RTW since 2010—is now 9.1%. Michigan is excluded from this analysis because it became RTW and then returned to its original non-RTW status over the last 15 years.

What's also clear in Figure G is that unionization rates fell for all groups of states, as unionization has continued its decline for the last several decades. It's particularly striking that unionization rates fell far faster in states that became RTW since 2010. While RTW and non-RTW states experienced 1.0 and 1.8 percentage point declines respectively, states that recently adopted RTW experienced a drop in unionization of 4.0 percentage points since 2010. While other anti-worker laws correlate strongly with RTW restrictions, this sharper decline illustrates that suppressing unionization is both the intent and result of states adopting RTW laws. Although a growing number of workers want a union, workers are facing more obstacles to unionization, and RTW is one of those obstacles.

Figure G: Unionization rates fell most in states that became RTW since 2010

Union density rates by "right-to-work" status based on year of implementation



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. Michigan is excluded from this analysis because it switched its RTW status twice (it became RTW in 2013 and switched back in 2024) and so does not fit cleanly in any category.

Source: Author's analysis of Economic Policy Institute, Current Population Survey Extracts, Version 2026.6.10, https://microdata.epi.org. • Get the data • Created with Datawrapper

The spread of RTW laws is one of many factors that have contributed to decades of declining unionization rates in the U.S., and in turn lowered all workers' wages. Recent EPI research shows that repealing anti-union state RTW laws and ensuring full collective bargaining rights for public-sector workers in all states would alone increase unionization rates by around 50% (from 9.9% to 14.4%) and raise median annual wages of workers in 27 affected states by up to $4,900.

How do “right-to-work” laws affect workplace safety?

In brief: “Right-to-work” laws are associated with less safe working conditions and higher rates of workplace injury and fatality. Studies show that after controlling for other factors, RTW laws are associated with a 14.2% increase in occupational fatalities.

In detail: States with so-called right-to-work laws have much higher workplace fatality rates than non-RTW states. Bureau of Labor Statistics (BLS) job fatality data show that overall, workers in states with RTW laws (and lower average unionization rates) had a 59% greater risk of dying on the job than workers in states without RTW laws (where unionization rates tend to be higher). Research has found that a 1% decline in unionization attributable to RTW laws is associated with a roughly 5% increase in the rate of occupational fatalities, and that after controlling for other factors (like state differences in industry mix and demographics), RTW laws are associated with a 14.2% increase in occupational fatalities.

By weakening unions, RTW laws limit the ability of workers to enforce safety standards in their own workplaces or to advocate for public policies that improve workplace safety for all workers. Union contracts often secure important workplace hazard protections and improve the ability of workers to report unsafe conditions or accidents without fear of retaliation. Inspections by the Occupational Safety and Health Administration (OSHA) are more likely to be triggered by worker complaints in unionized workplaces, since workers covered by a union contract typically feel more empowered to voice concerns to employers and enforcement agencies. Unionized workplaces see more frequent and lengthier OSHA inspections, increasing the likelihood that hazards are identified and addressed. For example, data on OSHA inspections in the construction industry show that union worksites are 19% less likely to have an OSHA violation and have 34% fewer violations per inspection.

How do “right-to-work” laws affect democracy?

In brief: “Right-to-work” laws are associated with declines in voter turnout and the weakening of democratic institutions. States with lower unionization rates—due in part to RTW laws—have passed more voter restrictions than states with higher unionization rates.

In detail: RTW laws are associated with decreased voter participation and weaker democratic institutions due to their suppression of unions. By suppressing unionization, RTW laws decrease unions’ positive effects on democracy. States with higher unionization rates have fewer voter restrictions and more systems in place to facilitate voting. Union members are more likely to vote than the general public, and voter turnout is higher in states with higher unionization rates. Conversely, voter turnout is lower in states with RTW laws, which weaken unions and in turn suppress the civic engagement that unions foster.

A 2018 study found that RTW laws reduced presidential election turnout by 2%, a substantial effect given the narrow margins that often decide elections. The same study found that RTW states had lower labor campaign contributions, less voter mobilization, fewer working-class candidates serving in state legislatures and Congress, and fewer pro-worker state policies.

Unions tend to strengthen democracy by encouraging civic engagement and helping workers become informed voters; many unions communicate with their members about candidate positions on relevant workplace and economic issues to make sure workers are informed when they go to the polls. Research shows that these effects translate into greater political participation. As democratic institutions where members elect leaders and ratify contracts, unions serve as "schools of democracy," equipping workers with civic skills that carry over to public life. Because many organizations that shape policy represent elite or corporate interests, unions serve as an important countervailing force, bringing working people's voices and interests into legislative debates and building coalitions that can exert influence against well-resourced opposition.

How do "right-to-work" laws affect inequality?

In brief: So-called right-to-work laws weaken unions, which play a key role in raising wages, improving job quality, reducing income inequality, narrowing racial and gender wage gaps, and improving health and well-being for workers nationwide. RTW laws that limit workers' bargaining rights contribute to overall declines in unionization rates and worker power, increasing income inequality for all workers and especially increasing labor market disparities affecting women and workers of color.

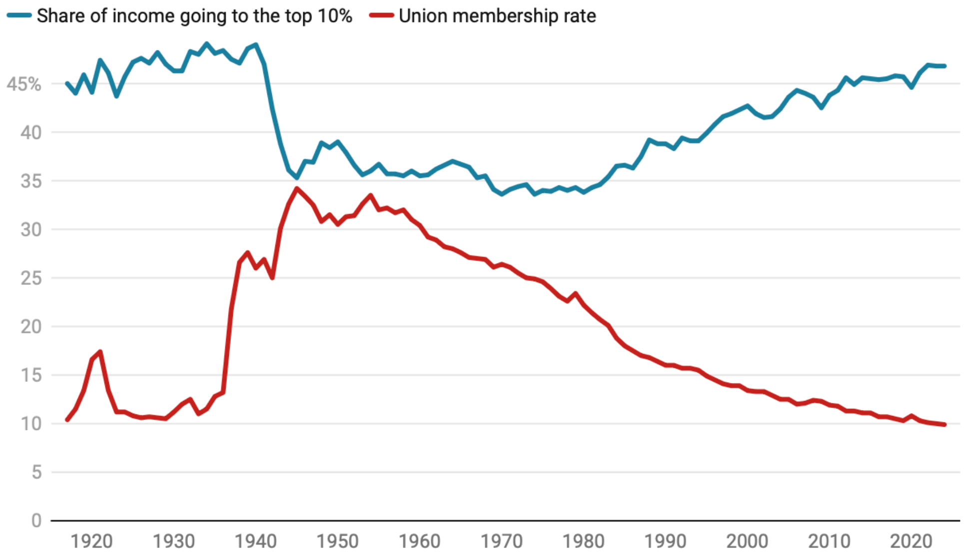
In detail: The primary goal of RTW laws is to weaken unions, which have historically been one of the most important forces for raising wages, improving job quality, and decreasing income inequality and forms of labor market discrimination in the United States. RTW laws suppress wages and erode job quality for all workers (whether they are members of unions or not) and contribute to growing economic inequality.

All workers experience a wage disadvantage in states where RTW laws are in place, and data show these disparities are especially pronounced for women and workers of color. When unions are strong, they improve wages and benefits for all workers (not just those in unions) and reduce racial and gender wage gaps, helping to counteract disparate outcomes resulting from occupational segregation and discrimination in the labor market. When unions are weak, women and workers of color are less likely to work under a union contract, where equal pay for equal work and non-discrimination protections are enforceable guarantees.

RTW laws weaken unions, especially benefiting the rich and fueling income inequality. Five decades of declining unionization rates have ushered in sharp increases in the share of incomes going to the top 10% (**Figure H**) and staggering increases in CEO pay.

Figure H: As union membership declines, income inequality increases

Union membership and share of income going to the top 10%, 1917–2024



Notes: 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 Economic Policy Institute, State of Working America Data Library, "Union membership - Share in a union," 2026. Income inequality data (top 10% share of pre-tax income) are from the World Inequality Database. • Get the data • Download image • Created with Datawrapper

Michigan provides one clear example of the effects of anti-union RTW laws. For decades before passing a RTW law in 2012, Michigan boasted the highest unionization rate in the country, and the state's median wage was 6% higher than the national median. After lawmakers passed RTW and other anti-union state laws in 2012, Michigan's unionization rates declined faster than the national rate, the state's relative median wage fell below the U.S. median, and income inequality increased dramatically: By 2023, half of all income in Michigan was going to the richest 10%.

Can workers in "right-to-work" states form unions? Are unions illegal in "right-to-work" states?

In brief: Workers in all 50 states have the right to form and join unions under the National Labor Relations Act. However, so-called right-to-work laws make it more difficult for workers to organize unions and weaken the ability of unions to represent workers.

In detail: Under federal law, most private-sector workers in all states have a legally protected right to form and join unions. Anti-union RTW laws do not outlaw unions (which would be illegal under federal law), but they do constrain workers' bargaining rights by prohibiting unions and employers from negotiating over union security (the terms under which those covered by a union contract will either join the union or contribute an agency fee toward the costs of union representation and benefits).

In states with RTW laws, workers still have legally protected rights to unionize, but they must overcome extra obstacles. Workers can and do form strong unions in RTW states, but doing so requires expending significant time and resources on ongoing worker outreach to maintain union membership, in addition to carrying out required bargaining and representation duties. In workplaces with especially high turnover, the challenge of maintaining a union over time can be particularly daunting under RTW conditions. For this reason, RTW laws tend to disincentivize union organizing especially in occupations where high turnover due to low wages and difficult conditions might otherwise increase workers' interest in forming a union.

What would it take to get rid of anti-union "right-to-work" laws?

In brief: States with "right-to-work" laws in place should repeal them. Nationally, Congress should pass the Protecting the Right to Organize (PRO) Act to eliminate RTW laws and restore full bargaining rights to workers in all states.

In detail: In states with RTW laws in place, state legislatures can repeal the statutes. Where RTW is enshrined in a state's constitution, legislators and voters would need to take additional action according to their particular state's procedures for amending the state constitution.

A more direct pathway to eliminating anti-union RTW laws would be for Congress to reform federal labor law and reverse prior amendments to the National Labor Relations Act (NLRA) that have allowed states to use RTW laws to erode collective bargaining rights. Among other important reforms to federal labor law, the PRO Act would eliminate the option for states to maintain anti-union RTW laws, restoring full bargaining rights to workers in all states as intended when NLRA was originally passed in 1935.