



California Teachers Empowerment Network

Standing out from the crowd, fully informed on the issues

Please note that in addition to the traditional emailing of the CTEN monthly newsletter, we will once again post it on the CTEN blog - <http://www.ctenteachers.blogspot.com/> As usual, there are several controversial issues covered in this letter and we urge you to share your opinions with other teachers.

July 18, 2018

Dear Colleague,

As most of you undoubtedly know by now, on June 27th the Supreme Court ruled in favor of the plaintiff in the [Janus v. AFSCME](#) case. The decision means that no public school teacher or any other government worker in the U.S. has to pay money to a union as a condition of employment.

What we know

Effective immediately, nonmember agency fee or fair share payers should have no more money taken from their monthly checks by their school district and union. CTA has sent a letter stating as such. If anyone has not received this missive, please let me know and I will email you a copy. I have not seen nor heard about any such communication from CFT, however. If any AFT/CFT agency fee payer has received a “sayonara” letter from that union, please scan and email a copy to CTEN.

Because agency fee payer status is now a thing of the past, there is no need to send in a yearly rebate/objection letter any more. (The yearly letter required to be submitted by November 15th each year applied to the existing school year in which it was submitted.)

What we don't know

For existing union members, things are not that cut and dried. If you have been a union member and decide you want out, you must let your union know in writing. The National Right to Work Foundation has provided teachers with an easy-to-fill-out template that you can use to resign. To access the form letter, [go here](#).

But we are not sure when the union is legally bound to release you. Will they wait until the current bargaining agreement is up? Will the union say you can only leave between dates that it specifies? Any hoops the union tries to make you jump through will very possibly be met by a legal challenge. Please send CTEN any communication that the union sends you on this matter.

We very well may be able to get you free legal help, and at the same time, assist others who are in the same situation.

New laws

The unions and their friends in the legislature in Sacramento have been planning for the ruling for quite some time now, and there is no shortage of new laws intended to insure the unions don't lose too many of their members.

A year ago [AB 119](#) was signed into law. Government unions now have access to all workers' personal contact information and rookies are now required to attend a mandatory union "orientation" meeting, during which a union huckster tries his/her best to convince a captive audience about the benefits of union membership.

More recently, [AB 2970](#) would prohibit government agencies from publicly disclosing information about the new employee orientations. The unions fear that new public employees attending the orientation meetings might hear opposing views. More [here](#).

[AB 2577](#) would allow a "deduction (of) an amount equal to the amount paid or incurred during the taxable year by a taxpayer for member dues to a labor organization." As reported by the [Pacific Research Institute](#), "Californians, in effect, will collectively subsidize union dues – the bill would cost taxpayers \$250 million the first year, \$170 million in 2019-20, and \$180 million in 2020-21."

[SB 866](#) stipulates that if an "employee notifies the district of his/her desire to opt out of paying dues/discontinue membership in the union, district staff must refer the employee directly to the union in order to work out termination of union membership/agency fee deductions." More information [here](#).

For a review of all *Janus v. AFSCME* related California legislation, the law firm of Lozano Smith has an extensive list which can be accessed [here](#).

Also, California Policy Center's Ed Ring has compiled "A Catalogue of California's Anti-Janus Legislation, which can be seen [here](#).

Lawsuits

Public-sector workers across the country are now suing to recover dues they paid to unions over the last several years. Class action suits have been filed against 11 unions in New York, New Jersey, Pennsylvania, Minnesota, Maryland, California, Oregon, Ohio, Illinois and the state of Washington, "accusing individual unions of violating workers' rights by collecting mandatory dues payments." The suits argue that any public-sector employee who participated in forced dues systems should receive financial "redress" from labor organizations.

Grand Rapids, MI attorney John Bursch, the man behind many of the lawsuits, claims his litigation is an attempt to reclaim “a refund of the fees that were illegally extracted.” For more information on the lawsuits, go [here](#) and [here](#).

Alternatives to unions

If you leave the union, you will lose your liability insurance and legal representation, but there are alternative ways to secure this coverage. You can join the Association of American Educators (www.aaeteachers.org) or the Christian Educators Association International (www.ceai.org) for your insurance and legal needs. These are professional organizations, not unions.

New Rules

We are in uncharted territory in California. There is serious [pushback](#) to the *Janus* ruling in several states and lawsuits will follow accordingly. CTEN will do its best to keep up with it all and inform you as things happen. If you have any news – good or bad – please let us know so that we can share it with other teachers across the state. Also, please pass this email along to your colleagues and encourage them to join us.

Many thanks.

Sincerely,
Larry Sand
CTEN President