

Q&A for Members

Day of Ruling Questions

I heard on the news something about a case hurting teachers' unions. What's going on?

The U.S. Supreme Court has ruled that unions can't collect fair share fees from non-union members. Until today, non-members in our school district have paid their fair share for the union representation they receive and for the contract they benefit from like everyone else.

Where can I get more information?

Talk to Diana Abasta, BTA president at btapresident@burbankteachers.org, and in the meantime visit cta.org/Janus.

How does this affect union members?

It doesn't really. Your membership, dues, etc. remain unchanged. It only affects non-union members.

I'm an agency fee payer. Do I get a refund of all the money you took before? How will the district know to stop taking money out of my check?

No. This decision only applies going forward. CTA has supplied the district with a list of fair share payers and have notified the district to immediately stop taking fair share fees out. Any funds taken out in error after today will be escrowed and refunded.

How badly will this hurt our union?

The news coverage has been calling this a devastating blow. We've been preparing for the possibility of this outcome. It will hurt us a bit financially, but it won't devastate us, and we believe in the long run we'll come out of this stronger. We were advocating for students and our members long before fair share existed and we're going to keep on doing it regardless of this latest development. The people behind this case want to weaken us—that's not going to happen.

Questions about Membership

Does this ruling mean I can I drop my membership and not pay dues?

You could, but that would be exactly what the people behind this court case want. They want to weaken the ability of educators and other workers to come together in unions to negotiate on behalf of their members and, in our case, to stand up for students and for public education. It's part of a broader scheme to rig the system against working people.

Would I get the same benefits if I did drop my membership?

No. You would get the benefits of the negotiated contract but have no say in the priorities like salary and benefits, school safety conditions, class sizes and all the other things in the contract. You'd also be ineligible for all the benefits that come with membership, including a \$1 million-dollar personal liability policy, legal services, access to student-centered professional development, membership discounts on insurance, entertainment, and travel. Unfortunately, you'd also lose your voice in the union. You couldn't vote in union elections and you wouldn't even be able to vote on the contract.

How do I drop my membership?

We encourage you to maintain your membership. Our effectiveness bargaining fair and just salaries, benefits, and working conditions is directly related to member support and the power we have in our collective voice. Increases in funding to public schools, ensuring that rights such as permanent status and due process are protected, and beneficial contractual improvements are direct results of the important work we have been able to accomplish because of a united CTA membership.

If you still decide you'd like to drop your union membership, you will need to mail or hand-deliver a letter requesting to drop your membership to the BTA president. The letter must include a stated formal request to drop membership, your full name, home address, contact number, name of local chapter (Burbank Teachers Association), date and original signature. If you happen to have your membership ID number, that would be appreciated.

Background Questions

What is the Janus v. AFSCME Council 31 Case?

The *Janus* case is an attempt to further rig the system against working people by challenging the constitutionality of fair share fees. These fees have been collected by public employee unions from non-members whom they are obligated to represent under the collective bargaining agreements they have negotiated. The plaintiffs argue that those fees violate their First Amendment free speech rights by compelling them to pay for political speech they disagree with. But the fact is, the current system does not violate anyone's free speech rights because fair share payers only pay for costs related to bargaining their contract and representing them in any contract-related issue. Fair share contributions have been upheld by the United States Supreme Court for over 40 years as a sensible compromise that protects the rights of both individuals and unions.

What are fair share fees?

Fair share fees, sometimes called "agency fees," are collected from non-members by their unions for the representation they receive under the contract (salary, benefits, teaching conditions such as class size and safety provisions, etc.) as well as the representation they are entitled to for individual employment issues. Fee payers are NOT charged for union political activities, membership promotion, local scholarships and other programs not part of representation.

Who is behind this case?

The National Right to Work Foundation and other anti-worker groups are backing the case. They are [part of a network of extremists](#) funded by corporate CEOs to use the U.S. legal system to rig the rules against everyday working people. Their goal with *Janus* is no secret: they want to use the U.S. Supreme Court to take away the freedom of working people to join in strong unions, because unions give workers a powerful voice in speaking up for themselves, their families and their communities. Unions have played a critical role in building and protecting the middle class in America. *Janus* is part of [an \\$80 million campaign by anti-worker forces](#) to "defund and defang" unions.

Are CTA and BTA prepared?

Yes, with varying degrees depending on the local chapter. CTA has been preparing for a potentially adverse ruling since well before *Friedrichs*. Part of our [Long Term Strategic Plan](#) has been a robust member engagement program that many chapters are actively implementing as well. [Local CTA chapter presidents](#) and [school district superintendents](#) have been notified of the possibility of losing fair share fees and of the steps necessary to comply with an adverse decision. We have a *Janus* chapter readiness toolkit and many other resources available in the leader resource center on [cta.org](#).

How damaging will an adverse decision in Janus be to CTA?

CTA has already been planning and budgeting based on the potential of losing fair share. We are tightening our belt in some areas, reallocating resources in others. We have been around for 155 years, with fair share in most of our chapters for only a fraction of that time. We have been the strongest, most effective voice for California students and educators in the years before agency fee, while it existed, and based on new levels of member engagement, we will continue to be as strong - even stronger - if fair share is struck down.

Will non-paying bargaining unit members still be represented by the union?

Yes. The union will still have the duty to represent non-members and those workers will still enjoy all of the benefits negotiated for them by their colleagues and union staff under the contract. However, CTA members recognize the value of their union membership and that the union is only as strong as the totality of its members.