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Fighting *Janus*, the right-wing effort to undermine unions

Anti-union forces have brought a new case before the Supreme Court that is designed to undermine the power of organized working people. The case, *Janus v. AFSCME*, is another attempt by big money interests to weaken unions by going after their funding, challenging unions' right to collect "fair share" fees from those they represent.

Once a union is elected as the representative by a majority of workers, the union is legally required to bargain on behalf of all employees whether the employees are members of the union or not.

But if union revenues came only from dues-paying members, this legal mandate would create a highly unequal situation in which non-dues paying employees would enjoy the same union-negotiated wage increases, health and safety intervention, grievance representation, and other benefits, but without contributing a cent toward making them possible.

Supporting the union that bargains your wages

Fair share provisions allow unions to charge non-members an amount equal to their share of the costs of their own representation. This right was established almost 40 years ago, in another Supreme Court case. Non-members are not forced to join the union, pay dues, nor contribute any money toward political activity or any union activity that doesn't directly represent them, but they are asked to pay a "fair share" of the costs of bargaining their pay increases and improving their working conditions.

In 2015, seeing their opportunity to use a union-hostile Supreme Court to attack labor unions, well-funded anti-union backers concocted a tenuous legal theory and then deliberately rammed it through lower courts in order to get it onto the Supreme Court's docket as quickly as possible.

It is likely that the 5-4 conservative majority on the court will rule against unions and for the corporate interests backing the case.

Protecting working people's rights

This may be only the beginning of a full-scale assault on labor under the Trump administration. Union activists across the country anticipate that a Republican-controlled Congress will try to pass various prohibitions of payroll deduction for dues or political contributions by union members in the private sector – targeting a major ally of the Democratic Party as well as unions themselves.

Union members are fighting the takebacks with gusto. "Unions will continue the important work of organizing and mobilizing to beat back these attacks while aggressively pursuing real, lasting gains for workers that open up a path to the American Dream for everyone," said California Labor Federation executive director Art Pulaski.

Reprinted from the *UPTE Update*. Read more at www.upte.org.