

***Aboud v. Detroit B.O.E.*, 431 U.S. 209 (1977)**

- Recognized union's lawful duty to represent members and non-members alike (DFR)
- Agency Fee “distribute[s] fairly the cost” of representation while “counteract[ing] the incentive that employees otherwise have to become ‘free riders’”
- First Amendment protects right to opt-out of paying for political or ideological activities

Friedrichs v. Calif. Teachers Assoc.



- Two questions:
 - 1) Whether *Abood* should be overruled and “fair share” fees be found to violate the First Amendment;
 - 2) Alternatively, whether *Abood*’s “opt-out” rule for political activities should be made “opt-in”.



Friedrichs v. Calif. Teachers Assoc.



- Core argument: All collective bargaining with public employers is inherently political and, therefore, employees should not be forced to pay a fair share.
- In other words, they claim all union expenses are “non-chargeable”.
- Makes all covered employees “free riders” unless they choose to pay dues.
- If *Abood* is overruled, all state agency fee laws become invalid.

NYSUT Priorities



- Staff and Local Training
- Issue Oriented
 - ✦ Cross-Training
 - ✦ Regional Office Assistance

