

Insights, News & Events

CLEVELAND ATTORNEYS RECOMMEND WAYS TO COMPLY WITH UNION U.S. SUPREME COURT RULING

Publication
Jun 28, 2018

William Blackie and Sarah Moore authored the *Crain's Cleveland Business* article "U.S. Supreme Court Strikes a Massive Blow Against the National Labor Movement." This article discusses the U.S. Supreme Court decision in *Janus v. AFSCME* prohibiting public-sector employers from collecting "fair share" fees from non-union employees. "Fair Share" fees are paid by those public sector employees who choose not to belong to a union, but are part of a bargaining unit, and covered by a collective bargaining agreement, for which the union is the exclusive representative.

In the 5-4 decision, the court ruled that requiring bargaining unit employees to pay agency fees to a union violated the First Amendment, which prohibits both states and public sector unions from taking agency fees from "nonconsenting" employees.

In order to comply with this new ruling, William and Sarah suggest that:

- Each public employer in Ohio immediately cease processing any fair share deductions
- Each public employer should meet with business representatives of the unions with which it holds collective bargaining agreements to confirm implementation of the Janus decision
- Each public employer should review the list of current union members for whom regular dues deductions are being made, and request written confirmation from the

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union of each employee's affirmative consent to membership

- If a union demands bargaining based on the Janus decision, the employer should review the demand with counsel

To read the full article, visit [*Crain's Cleveland Business*](#).