



Supreme Court Rules Public Sector Agency Fees Unlawful

The U.S. Supreme Court ruled today that public employers and public sector unions may not extract collective bargaining agency fees, nor any other form of payment to a public sector union, nor make any attempt to collect such a payment from a public employee unless the employee affirmatively agrees to pay it. The Court ruled that to do so violates the First Amendment.

The employees' consent must be an affirmative consent that is freely given and shown by clear and compelling evidence before any money is taken from the public employee.

The Court said that states that have agency fee laws have abridged fundamental free speech rights. States, according to the Court, can keep their labor relations systems exactly as they are - only they cannot force non-members to subsidize public sector unions. The Decision does not have a direct effect on private sector unionization.

Sullivan, Hayes & Quinn, LLC | 413-736-4538
| lawoffice@sullivanandhayes.com | <http://www.sullivanandhayes.com>
One Monarch Place, Suite 1200
Springfield, MA 01144

Stay Connected



This update is not intended to be legal advice, but is intended only to inform the reader of recent developments in the law. If legal advice is required concerning a particular matter, *Sullivan, Hayes & Quinn, LLC* may be consulted. We are also required to advise our Massachusetts readers that this update may be deemed to constitute advertising within the meaning of Rule 3:07 of the Rules of Professional Conduct of the Supreme Judicial Court of Massachusetts.