



Answers to Some Questions About the Janus Ruling

The news reported on a case hurting teachers' unions. What has happened? On June 27, 2018, the U.S. Supreme Court decided for the plaintiff in *Janus v. AFSCME*, upending 40 years of precedent. Until this ruling, non-members in our school district paid fair share fees for their union representation in bargaining and for the same contract benefits they receive as members, *without* having to become a union member. Now, non-members will benefit from members who pay for collective bargaining without contributing financially. The argument that paying fair-share violates non-members free-speech rights is false. Nonmembers fees were used only for costs related to contract bargaining and representation over contract related issues, not for political action.

How does this decision affect union members? At present, your membership, dues, representation, and union benefits remain unchanged. This decision only affects non-union members.

If I'm an agency fee payer, do I get a refund of all the money you took before? No. This decision only applies going forward.

How will the district know I'm a fee-payer or fair-share payer? CTA has supplied the district with a list of fair share payers and has notified them to stop taking fees out. Anything taken out in error after today from non-members will be refunded to non and have notified the district to immediately stop taking fair share fees out. Any funds taken out in error after today will be escrow-ed and refunded.

How will this hurt our union? This decision is a tough blow, one that will hurt us financially. One we have worked to prepare for. We will continue to advocate for students, our members and for public education despite this case. Even worse than the loss of fair share fees is the dangerous spread of false information and propaganda by such businesses as "California Teacher Empowerment Network, Choice for Teachers and Freedom Foundation." Do not believe their claims to represent educators. All have been funded by anti-labor corporations who seek to discredit us - with the goal of dismantling or privatizing privatize education.

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

This is what the people who behind this court case want – to weaken the ability of workers to work together and negotiate on behalf of their members, to damage our ability to stand up for our students and for an equitable public education for all. students. This is part of a broad scheme to upend the rights of working people for fair wages, benefits and work conditions. Our effectiveness in bargaining salaries, benefits and working conditions is in direct relation to member support. It is our collective voice where we wield the most power. SMMCTA is bargaining its contract this school year. This includes advocating for

increased in funding to public schools, to ensure rights such as permanent status and due process are protected, and beneficial contractual improvements are direct results of the important work we are able to accomplish because of a united CTA membership.

Would I get the same benefits if I did drop my membership? No. You will be ineligible for all the benefits that come with membership, including representation by the union (which includes a 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 new contract we are bargaining. You will still be covered under the negotiated contract (*opting out of the union does not mean you are opting out of our representation in bargaining*) but you will not have a say in contract bargaining and negotiation of our priorities like salary and benefits, school safety conditions, class sizes and or other covered parts of our contract. We ask you to maintain your membership and to stay a part of our team.

How do I drop my membership? We remain strong if we all stick together. But yes, you can drop your membership. You must send a letter requesting us drop your membership to Sarah Braff, your SMMCTA President. The letter must include a stated formal request to drop membership, your full name, home address, contact number, name of local chapter (Santa Monica-Malibu Classroom Teachers Association), the date and an original signature in ink. This must be mailed, or hand delivered (you can leave it in our mail box.) And email or a phone call is not acceptable for this purpose. If you happen to have your membership ID number that would be appreciated.

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Will non-paying bargaining unit people still be represented by the union? Yes. The union must still represent non-members in contract negotiations and those people will still have the same benefits negotiated for them by their paying colleagues who are members and union staff under the contract. Non-members will not be allowed to bargain for themselves.

Will that encourage current some members to drop their membership if they can get many of the same benefits for free? Perhaps, though most of us recognize the value of belonging to our union and that we are stronger together.

SMMCTA and CTA is reassessing our budgets based on the loss of fair share payers and possible union membership drops. We are a strong and effective voice for California, and our greatest strength has been in our members. We will continue the hard work of advocating for our educators and students despite this setback. We still believe in our union and in our greatest resource - our members.

If you have further questions about the union or union membership, please contact us at smmcta@smmcta.com. If you are a member, we ask you to request to join our private/closed Facebook page at www.facebook.com/groups/smmcta