



Union activists, pols rally against Janus case

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"Thus, we reverse the decision of the court of appeals and reinstate WERC's orders dismissing the Unions' petitions for election", concludes the Supreme Court majority opinion, written by Justice Annette Kingsland Ziegler.

The concerns stem in part from the 2013 leak of classified information detailing America's surveillance programs and the role Microsoft and others played in turning over emails and other information.

This hasn't relieved much stress, but reading about the latest high-court deliberations and realizing that Gorsuch is on the court has done wonders for my soul. Microsoft argued that the SCA, which compels email providers to surrender the contents of emails should the government obtain a warrant, only applies to contents that are stored in the US.

[In 1986,] no one ever heard of clouds. As a result, the legislation's powers have been limited by the lawmakers' inability to imagine a time when data could be stored anywhere in the world and accessed easily over a computer network.

The years-long tangle between Microsoft and USA regulators regarding the extent to which the tech giant can legally protect its customers' privacy against government data requests came to a head on Tuesday. Microsoft further contends giving the USA government access to data stored in foreign jurisdictions might embolden those countries to likewise demand access to data stored in the U.S.

The Supreme Court gave its blessing to this arrangement in a 1977 case, Aboud vs. Detroit Board of Education. Investigators believed it was being used in illegal drug transactions.

Chief Justice John Roberts said the government seemed to have the better of the argument because "the statute focuses on disclosure".

It's known as the Clarifying Lawful Overseas Use of Data (CLOUD) Act.

At the center of the debate was the question of whether a US court can order a USA -based e-mail service provider to comply with a probable-cause-based warrant issued under the

1986 Stored Communications Act (SCA) by disclosing e-mails that the provider has stored overseas.

Will Supreme Court Overturn Mandatory Dues?

The dispute before the Supreme Court today stems from the \$45 that is deducted from *Janus'* paycheck each month to go to the local branch of the union that represents him. Kennedy asked Franklin. "That's an interest the state has?"

It started with a 2013 warrant obtained by U.S. prosecutors for emails of a suspect in a drug trafficking investigation that were stored in Microsoft computer servers in Dublin. It was a fun idea, courtesy of the think tank that employs me. "People need *reasons* to pay, and it's on leadership to provide them". For some people, it's an extraterritoriality case that extends the lines of US laws into other countries. I'm not the only one who smells a rat.

She went on to say the court's decision has "drastic consequences for employees".

As the justices heard the case inside the court's white-marbled hall, unionists made themselves heard outside.

You could imagine a case where US law enforcement orders an internet company to violate the laws of another country.

That movement is evident in a list of free-market-leaning think tanks that filed friend-of-the-court briefs in a case now pending before the U.S. Supreme Court - the Cato Institute, Competitive Enterprise Institute, Buckeye Institute for Public Policy Solutions and Mackinac Center for Public Policy are all supporting the plaintiffs in Mark Janus v.

Well, if this person is not Irish, and Ireland played no part in your decision to store the information there, and there's nothing that Ireland could do about it if you chose tomorrow to move it someplace else, it is a little hard for me to see what Ireland's interest is in this.

The ruling also helped fuel the modern movement against organized labor.

The problem is even **more** complex for information held by Google, which "stores the emails of USA users all over the world, sometimes breaking an account into multiple 'shards,'" Solicitor General Noel Francisco wrote in his Supreme Court brief. Laws in 23 states would be upended "at once" and labour contracts would be invalidated for "maybe up to over 10m workers". On the one hand, foreign countries would like to see the highest court in the US tell the government that they may not access information stored in those countries.

"In other words, each requires that an election be held annually". That law would go along with the new GDPR [General Data Protection Regulation], which goes into effect in May and compels companies operating in the E.U. to turn over data to law enforcement in any European Union country.

There have been myriad problems with this creaky court compromise. Meanwhile, this Court's job is to defer, to defer to Congress to take the path that is least likely to create global tensions. That doesn't mean Congress will take care of it. But unlike **most** employees, *Janus* - a child-support specialist at the state's Department of Healthcare and Family Services, who does not belong to the union - may be able to do something about that deduction.

