



Supreme Court could gut the power – and purse – of public-sector unions.

Sara Rubin

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In 1967, D. Louis Abood and other teachers sued the Detroit Federation of Teachers. As employees in a “union shop,” union fees were automatically deducted whether or not they joined the union. Similarly, whether or not they became members – or believed in its mission, for that matter – they benefited from the union, which engaged in collective bargaining on their behalf.

The U.S. Supreme Court ruled in DFT’s favor. The case helped establish public-sector union policies affecting millions of workers for the 40-plus years that followed: Even if you don’t join the union, fees may be deducted from your paycheck – a one-for-all funding formula.

The ruling also helped fuel the modern movement against organized labor. That movement is evident in a list of free-market-leaning think tanks that filed friend-of-the-court briefs in a case currently 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. American Federation of State, County, and Municipal Employees, Council 31*.

Janus, a child support specialist in Illinois, is represented by the National Right to Work Legal Defense Foundation, Inc. in a lawsuit claiming that AFSCME’s practice of automatically deducting fees from his paycheck violates his free speech rights.

“My right to say yes is just as important as my right to say no,” Janus said on Fox News on the evening of Feb. 26, a few hours after attorneys presented oral arguments in the case.

That same evening, about 150 people gathered on the lawn of Salinas City Hall for a pro-union rally, one of hundreds planned across the country that day.

Among them was Jose Eric Alcaraz of Soledad, an office technician at the Correctional Training Facility, where he schedules dental appointments for inmates and serves as a union steward for SEIU 1000.

“This is not about free speech,” Alcaraz says. “It’s about power. The other side wants to take the power. And we’re the only thing standing in their way. No matter what comes about, we will keep fighting.”

Cesar Lara is executive director of the Monterey Bay Central Labor Council, which has over 75 union affiliates, representing some 37,000 workers. Over trombones and makeshift percussion instruments, Lara listed off some union achievements: “We brought you the weekend. We brought you minimum wage. We brought you breaks. We brought you overtime rules.”

Unions may be victims of their own success. The term “Big Labor” seems an oxymoron, considering labor represents little people. But unions are now a political influence to be reckoned with. That’s on display locally in politically charged votes over project-labor agreements that guarantee union wages for public construction projects (like a new school for Salinas Union High School District, where one board member is facing a recall effort).

One by one on Feb. 26, elected officials walked across a stage to sign a pledge titled “America Needs Unions” in purple marker. They included three Monterey County supervisors – Luis Alejo, John Phillips, Simon Salinas – and San Benito County Supervisor (and State Assembly candidate) Robert Rivas, Salinas Valley Memorial Healthcare board member Carissa Purnell, Salinas City Councilman (and candidate for sheriff) Scott Davis, Soledad City Councilman Alejandro Chavez.

After the trombones died down, Adriana Depena, a member of SEIU 2015, walked up to the foam board with the purple signatures to take a photo with her phone. “All those people who promised to help unions – they have to be accountable,” she says. “That’s why I took the picture.”

Depena, 57, works as a home health-care provider for her 75-year-old disabled husband in Marina. She says she largely set aside her career as a counselor to care for him and make their household finances work.

It’s not clear exactly what will happen to public-sector unions if the Supreme Court rules in Janus’ favor, but based on the justices’ questions, union members are bracing for a loss.

“We will continue fighting for our rights and a better life,” Depena says. “We fight every day.”