



Monterey County public-sector unions refocus after Supreme Court's Janus decision.

Pam Marino

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Four months ago, about 150 union members and supporters gathered on the lawn of Salinas City Hall the evening after arguments before the Supreme Court in the case Mark Janus v. American Federation of State, County, and Municipal Employees, Council 31. Joined by three Monterey County Supervisors – Luis Alejo, John Phillips and Simon Salinas – as well as other elected officials from the region, the unions' message was a unified one: We're not backing down against powerful conservative forces trying to cripple, and even eliminate, public-sector unions.

Those forces, like the National Right to Work Legal Defense Foundation, Inc., the Cato Institute and the Competitive Enterprise Institute, among others, were supporting Mark Janus, an Illinois child support specialist who argued that AFSCME automatically deducting union fees from his paycheck violated his First Amendment right to free speech. The fees are called agency fees, which are less than union member dues and are meant to offset the expense unions incur in pursuing collective bargaining on behalf of all employees, union members or not. The fees do not include expenses for political action and other union benefits.

On June 27, the Supreme Court voted 5-4 in favor of Janus, overturning 40 years of the practice of deducting fees for non-union employees. (That practice was accepted thanks to the 1977 Supreme Court case *Abood v. Detroit Board of Education*.) The new ruling means that in the case of public-sector unions that represent government employees like teachers and police officers – as opposed to private-sector unions like the United Farm Workers – employers can no longer deduct agency fees.

Public-sector unions across the country are now bracing for the impact, and in parts of California anti-union groups backed by wealthy donors like the Koch Brothers are already actively on the attack to weaken public-sector unions. The Freedom Foundation, based in Olympia, Washington, with a California office in Fullerton, is already filing lawsuits against union chapters and deploying paid organizers in areas like Los Angeles to convince union members to quit.

“We haven’t seen that here locally, but who knows?” says Cesar Lara, executive director of the Monterey Bay Central Labor Council.

Monterey County has a strong pro-union history and typically finds most public employees are willing to join unions – the Salinas Valley Federation of Teachers currently has six people who pay agency dues out of 800, according to union President Steve McDougall – but local union leaders say they are not taking the threat posed by Janus lightly.

In the months leading up the Supreme Court decision, McDougall says the SVFT contacted over 80 percent of its members to remind them of what the union has accomplished on their behalf, and ask them to recommit to their memberships.

“We told them, for instance, that because of our vigilance at the bargaining table we had increased their salaries by 19 percent since 2012,” McDougall says. Recently the union negotiated an additional 2.28-percent increase, retroactive to one year ago. He credits the SVFT with an increase of \$1,000 of health and welfare benefits in the same time period.

He also says there’s been a change in the culture – now when administrators suggest teachers perform more work, the request comes with an acknowledgement of increased compensation.

Both Lara and McDougall say unions have flourished under anti-union forces in the past, and expect that will continue. They believe Monterey County public-sector unions will feel little impact from Janus, as long as unions stay relevant to members: “If they haven’t done it in the past, they better do it ASAP,” McDougall says.

Unions are a significant political force – and campaign contributor – in Monterey County. Last year, which was not a major election year, they were actively fundraising: SVFT’s political action committee raised \$16,000, the Labor Council’s raised over \$85,000, for example.

In the June 2018 primary alone, union groups (representing both private and public employees) spent more than \$18,000 on Regina Gage’s unsuccessful campaign for county supervisor, challenging incumbent Supervisor John Phillips. The Deputy Sheriffs Association PAC spent nearly \$40,000, supporting candidates for sheriff, State Senate and Monterey County supervisor.

SEIU Local 521 board member Victor Caravez, who works for Monterey County in the Department of Social Services, sees the Janus decision in a positive light.

“This is going to be an incredible opportunity for us as members of the union to come together stronger and fight for our union and good union jobs,” he says. “The whole message is to continue to be strong and advocate for our community.”