

Fees For Union Services Still Prohibited In “Right-to-Work States”... At Least For Now

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As previously reported on the blog, the NLRB was planning on revisiting its precedent that makes it illegal for unions to charge “fees” to non-dues paying members in right-to-work states for processing grievances and other “services” the unions may provide. Unions often refer to these as “fair share” fees. The issue was before the board in the case *United Steel, Paper and Forestry Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, Local 1192* (Buckeye Florida) (12-CB-109654). Due to an apparent settlement between the parties, however, the board has suspended its invitation for briefs on whether such fees should be permitted. Thus, it generally remains illegal for unions to charge these types of fees in right-to-work states, at least for now. It is likely the board will invite briefs on the issue once again if another case raises a similar issue. The board recently has invited briefs on big ticket issues in cases where it was planning to reverse precedent, such as in *Purple Communications* where it created its new rule granting employees access to employer email for unionization purposes. If the Board again signals a change on this front – through the invitation of briefs or otherwise – we will keep you updated on the blog. The board’s press release on the issue can be found [here](#).

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