

MERC Upholds Michigan Right To Work Decision Finding Teachers Can Withdraw From Union At Any Time

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Yesterday the Michigan Employment Relations Commission (MERC) [unanimously upheld](#) a ruling under Michigan's Right to Work Law, which

- Declared the Michigan Education Association's (MEA) "August window" for withdrawal from the union illegal; and
- Permitted union-represented public employees to withdraw from their unions at any time.

We reported [last September](#) on MERC Administrative Law Judge Julia Stern's initial decision, which determined that MEA's attempt to limit employees' right to withdraw from the union (and thus stop paying dues) to a defined window period in August of each year was illegal under Michigan's Right to Work Law and amounted to an unfair labor practice. Now, all three members of Michigan's Employment Relations Commission have agreed with that ruling, directing their staff to draft a decision affirming Judge Stern's ruling. The decision should issue in July and when it does, Judge Stern's ruling will be officially affirmed. Of course, it is expected that the MEA will next appeal the decision to the Court of Appeals. In the meantime, however, MEA's practice of aggressively pursuing teachers who have attempted to withdraw from the union but who failed to meet the August window period, including allegedly engaging outside collections agencies to collect dues, remains on hold.

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