

Court Poised To Strike Down Union Agency Fees For Public Employees?

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The U.S. Supreme Court, in argument on Jan. 11, from all accounts appears poised to strike down its prior decision in *Abood v. Detroit Board of Education* and conclude that mandatory agency fees paid by public employees to unions that represent them are unconstitutional. In *Friedrichs v. California Teachers Association*, the petitioners contend that mandatory fair share dues to cover the cost of collective bargaining and other representational activities violate the free-speech rights of nonunion workers. Chief Justice John Roberts summarized the issue similarly: "The problem that's before us is whether or not individuals can be compelled to support political views that they disagree with." The case, which poses a significant threat to the funding of public employee unions in the 20 states that allow so-called fair share fees, has generated substantial interest and coverage. The SCOTUS Blog is an excellent stepping off point to review [coverage of the case](#). Court watchers are suggesting that *Friedrichs* will overturn *Abood* not only because of the tone of the questioning during argument but in large part because of the Court's 2014 decision in *Harris v. Quinn* in which the Court's 5-4 majority wrote of *Abood* and its "questionable foundations."

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