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Union Folds In Class Action Lawsuit Over Forced Union Dues

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Since the U.S. Supreme Court's landmark *Janus* decision last year, some public employees apparently have nevertheless encountered resistance from unions when trying to cease their dues payments. In its *Janus* decision, the Supreme Court generally held that public employees cannot be forced to pay union dues.

In the latest in a series of lawsuits [challenging union efforts](#) to deprive public employees of [their right to stop paying dues](#), the Communication Workers of America (CWA) union appears to have folded. Specifically, the National Right to Work Foundation – a legal nonprofit – brought a class action lawsuit against the CWA in Ohio for refusing to honor public employees' attempts to cease paying dues.

According to a [press release from the foundation](#):

“A federal First Amendment lawsuit brought by National Right to Work Legal Defense Foundation staff attorneys for a civil servant against Communication Workers of America (CWA) Local 4502 and the City of Columbus has forced union officials to settle. The settlement ends a union-created ‘escape period’ policy that blocked City of Columbus worker Connie Pennington and hundreds of her coworkers from exercising their constitutional right to refrain from financially supporting the union. Union officials will refund all the money taken from the workers because their legal resignations were blocked under the union-created policy.

...

Rather than face Foundation attorneys in court, union officials, concerned about losing even more privileges, settled the lawsuit. Under the terms, union officials and the city of Columbus will stop enforcing the ‘escape period’ policy that trapped workers into paying forced union dues until the end of union officials’ monopoly bargaining contract. Additionally, union officials will refund to [an employee] all union dues deducted from her paycheck after she revoked her dues deduction authorization. Union officials will also identify any other workers whose rights were blocked by the illegal ‘escape period’ policy, honor their requests to resign and revoke their dues deduction authorization, and refund the dues deducted under the policy. The City of Columbus will stop deducting union dues for CWA Local 4502 from any worker who has revoked a dues deduction authorization.”

There is no doubt union coffers have taken a hit since *Janus*, but efforts by some unions to limit public employees' rights under *Janus* in order to retain dues revenue streams are being challenged, seemingly successfully thus far, in court.

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Article By [Barnes & Thornburg LLP](#)
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