

Facts about fair share (agency fee) for TAUP

Temple management's statements about TAUP's proposal for fair share (or, as many call it, agency fee) have made the proposal sound like something odd or outrageous. The truth is that Temple has taken contradictory and hypocritical positions on fair share. Fair share is the norm for unionized faculty in universities.

- **Fair share is extremely common among unionized faculty** in states that permit it. According to information from the AFT Higher Education department, the faculty unions at 163 universities across the country, including those in statewide university systems, have fair share. Only six, apart from Temple, do not.
- **Fair share is common in our region** in faculty contracts at colleges and universities, including the 14 universities in the Pennsylvania State System of Higher Education, Rutgers University, and the other nine state colleges and universities in New Jersey (including Rowan University, Thomas Edison State College and The College of New Jersey). In addition, local community college faculty unions have fair share, including Community College of Philadelphia, Bucks County Community College and Montgomery County Community College.
- **Temple says they oppose agency fees because nonmembers made an individual choice** not to support the union.
- **Temple has, however, already agreed to the principle of fair share with TAUP**, with a 70% membership threshold. Thus, the only real question is not the individual's choice but whether there is a threshold.
- **By analogy, Temple imposes mandatory fees on all students**, on top of tuition. Students cannot make individual choices regarding these fees, even if they do not support the purposes they pay for. Each semester full-time students pay \$295 in service fees for: general activities (\$45); computer & technology (\$125); student health services (\$60); student recreation services (\$40); and student facilities (\$25). These fees are charged to students regardless of whether they set foot into a computer lab, the gym, the student center or the health services center. A portion of the general activities fee is allocated to student organizations by the Temple Student Government, regardless of whether any individual student supports the activities being funded.
- **TAUP membership stands at 60%** currently (793 members in a bargaining unit of 1321). Temple management continually understates TAUP's membership numbers and percentage.
- **Only three unions at Temple University are denied** either union shop or fair share arrangements: TAUP, TUGSA and AFSCME local 1723. [*Note: A union shop is an arrangement by which employees must become members of the union within a certain time period after becoming employed. TAUP, being under the jurisdiction of state law, cannot have a union shop arrangement.*]
- **Unions at Temple with either agency fee or union shop arrangements** include: AFSCME 1199C (Temple Hospital workers), PASNAP (Temple Hospital nurses), SPFPA Local 511 (security guards and police), IU of Operating Engineers Local 835 (maintenance workers) and SEIU Local 612 (janitors and housekeepers).
- **Fair share is a non-economic item** for the University. It has no impact on Temple's budget. Using payroll deduction, which is already in effect, there is no additional cost to implement it.

- **TAUP is legally required to represent all employees** covered by the bargaining agreement. We serve everyone who comes to us, including those who do not pay dues. The union must maintain the resources to represent, help, or advise anyone who asks for assistance regardless (as is required by law) of their member status. This includes pursuing grievances and arbitration, even when the union must spend thousands of dollars on the costs of these processes for both members and nonmembers.
- Since 1987, **Pennsylvania law** has allowed unions to negotiate fair share fees.
- **The US Supreme Court has repeatedly approved fair share** to distribute the cost of union representation to all employees who benefit from it. In addition, the Supreme Court established guidelines that protect nonunion employees against assessments that might infringe on their legal rights. For instance, fair share payers are not charged for union activities such as political action and lobbying. Thus, independent audits of union expenses are required each year to establish the fees charged.