APALA
ASIAN PACIFIC AMERICAN LABOR ALLIANCE, AFL-CIO

Worker, Immigrant, and Civil Rights

Founded in 1992

Harris vs. Quinn Fact Sheet

Prelude:

The Supreme Court will soon decide on *Harris v. Quinn*, what some call "the most important labor law case in decades". While the case is focused on an Illinois law, APALA recognizes the broader implications *Harris v. Quinn* could have nationwide and for all workers across the public sector including teachers, police, and government workers. A decision, which is expected to come between now and the end of June, could undermine unions and deprive workers in public service the right to negotiate for fair wages, benefits and working conditions.

What is the case?

- *Harris v. Quinn* is a case against the state of IL, SEIU Healthcare Illinois & Indiana, SEIU Local 73, and AFSCME District 31 by the National Right to Work Committee, a right-wing, anti-labor think tank
- It is a constitutional challenge to the extension of Illinois' public sector collective bargaining law to cover state-paid homecare workers. The plaintiffs are non-member homecare workers
- The plaintiffs argue that requiring all workers in the unit to be represented by a union and requiring nonmembers represented by said union to pay their fair share of the cost is force association forbidden by the first amendment

What could happen?

- The worst case scenario is the Court could overturn *Abood v. Detroit Board of Education*, a decision made in 1977 that rejected a first amendment challenge to the system of exclusive representation and fair share fees in the public sector generally
    - This would affect all unions (including SEIU and AFSCME) that represent employees under state public-sector collective bargaining laws and have organized about a million homecare workers in many states over the past several decades. It may also significantly impact the amount of revenue available to them
- The best case scenario is the Court could avoid the central questions, possibly remanding to the trial court to take evidence.

Who does it affect?

- Direct-care aides who assist the elderly, sick, and people with disabilities in their homes will all be affected by the decision of this case.
    - The healthcare industry is the largest employer of AAPI women and a major employer of AAPI men. In addition, about 1-in-7 AAPI workers are in the public sector at the local, state, or federal level.
- There are nearly 2 million homecare providers in the U.S., over 90% of which are women. Moreover, women make up 45% of union membership, potentially making Harris v. Quinn a feminist issue.
- Homecare workers provide a valuable service to the nation's vulnerable populations, but many do not receive adequate pay or benefits. In fact, more than 1 out of 5 workers in these occupations lives below the poverty line .
    - About 1 of every 20 AAPI workers lives in a household with income below the official poverty line. Certain ethnic AAPI groups rates are much higher than average.
- Without unionization, many are left vulnerable to exploitation in the workplace. AAPIs, along with Latinos, are the fastest growing group in unions
    - Homecare workers in unions see an average of a 65% increase in their salaries as opposed to their non-union counterparts. Unionized AAPI workers are also about 16% more likely to have health insurance and 22% more likely to have retirement plan coverage.

Take Action

- Become a member of APALA and help us amplify the voices of Asian American & Pacific Islander workers, including homecare and childcare workers: http://apalanet.org/about/membership/
- Share your story of how being in a union has benefited you and your family or why quality care is important to you. Email APALA at apala@apalanet.org.
- Write a letter to the editor or opinion editorial to your local newspaper on the potential impact a negative ruling on *Harris v. Quinn* can have on you and your family.