

## PORTLAND ASSOCIATION OF TEACHERS

# ACTIVE MEMBER vs. FAIR SHARE FEE PAYER

## WHAT'S THE DIFFERENCE?

Federal and state law require unions to fairly represent and bargain a contract that benefits all workers in the bargaining unit, whether they actually become members of the union or not. The union must use its time and resources to bargain for and protect such non-members, the same as if they were members.

PAT and PPS have freely negotiated to make sure everyone who benefits from the contract pays their fair share of the cost of obtaining and protecting those benefits. The PAT/PPS contract includes the following language in **Article 4, Dues and Payroll Deductions**:

### A. Fair Share Agreement

- 1. The District shall deduct an amount established by the Association, not to exceed usual and customary dues, each pay month from the pay of each professional educator who is not an active member of the Association, beginning with the paycheck issued in the month of September... Such an amount shall represent compensation to the Association for any purpose authorized by law for use of fair share fees.*
- 2. Any professional educator who has not requested payroll deductions of Association dues under Section B of this Article or who has not certified to the District that s/he has paid his/her dues directly to the Association shall be subject to the provision of this Section.*

This means that certified employees who are members of the bargaining unit may choose to join PAT or not, but either way must pay their fair share. Since membership in the union provides additional benefits for the individual, we encourage them to join.

Association members will have dues to the National Education Association (NEA), Oregon Education Association (OEA), and the Portland Association of Teachers (PAT) deducted from their paychecks monthly. **Fair Share Fee Payers**, those individuals who choose not to become members of the Association (for whatever reason), will be required to pay or have deducted a representation fee in an amount equal to membership dues as their fair share of the cost of representation under the contract.

Fair Share Fee Payers do not have all the rights and protections of members. They may not vote in Association elections, may not hold official positions in the Association, will not be entitled to full legal counsel (unless there is a contract violation that impacts other unit members) and are not eligible for the available Association-provided one million dollar liability insurance or the free NEA "dues tab" life insurance. One of the biggest dangers to Fair Share Fee Payers is the lack of union-provided legal representation if an issue is referred to TSPC for investigation. In recent years this has become one of the most important protections of membership because of pressures on districts to scrutinize teacher conduct.