

You And Your Union Dues

NOTICE TO EMPLOYEES

Under Federal law, employees cannot be required to join a union or maintain membership in a union in order to retain their jobs. Under certain conditions, the law permits a union and an employer to enter into a union-security agreement requiring employees to pay uniform periodic dues and initiation fees. However, employees who are not union members can object to the use of their payments for certain purposes and can only be required to pay their share of union costs relating to collective bargaining, contract administration, and grievance adjustment.

If you do not want to pay that portion of dues or fees used to support activities not related to collective bargaining, contract administration, or grievance adjustment, you are entitled to an appropriate reduction in your payment. If you believe that you have been required to pay dues or fees used in part to support activities not related to collective bargaining, contract administration, or grievance adjustment, you may be entitled to a refund and to an appropriate reduction in future payments.



U.S. Department of Labor
Department Services Administration
Washington, D.C. 20303

This notice is required to be posted by Executive Order 13201, which was signed by President George W. Bush on February 17, 2001.

Visit the website of the Labor Department at <http://www.dol.gov> or call 1-866-4USA-1000.

Seen This Poster?

This is called the "Beck Poster", a notice that Executive Order 13201 requires Government contractors and subcontractors to post to inform their employees that under Federal law they have certain rights related to union membership and the use of union dues and fees.

These rights are often referred to as "Beck rights" because they were first recognized in 1988 by the United States Supreme Court in *Communications Workers of America v. Beck*.

Under the National Labor Relations Act (NLRA), an employer and a union may enter into an agreement requiring all employees in the bargaining unit to pay periodic union dues or fees as a condition of continued employment, whether or not the employees otherwise wish to become union members. The Court held that a union may not expend funds collected from their compulsory agency fee payments on activities that are not related to collective bargaining, contract administration, or grievance adjustment.

<http://www.dol.gov/esa/regs/compliance/olms/BeckFAQ.htm#1>

What Does This Mean To You As A Railroad Employee?

- Railroads and their employees fall under the jurisdiction of the Railway Labor Act (45 U.S.C. 151-188).
- The *employee notice clause* included in the Beck Rights does not *have to be included* in collective bargaining agreements as defined in 5 U.S.C. 7103(a)(8), yet much of the same language may be found within union agreements.
- Section 2, eleventh, of the Railway Labor Act allows rail employees to bargain for certain union security measures including union shop agreements. This section allows rail unions on behalf of their members to negotiate agreements with the carriers which requires mandatory union membership.

Bottom Line

- The railroad industry is a union shop environment.
- Union collective bargaining agreements of both the BLET and the UTU require membership in order to maintain employment and retain seniority rights with the railroad as an operating department employee.
- Payment of union dues is a mandatory requirement of membership in the union.
- Dues to support activities not related to collective bargaining, contract administration, grievance handling or operation of the local chapter is totally optional and deducted only by request of the individual member.
- For additional information contact your local union representative.



Brotherhood of Locomotive Engineers and Trainmen