



**AFSCME DISTRICT COUNCIL 36  
25<sup>TH</sup> BIENNIAL CONVENTION**

**RESOLUTION \_\_\_\_\_**

**Denouncing Janus and Mobilizing Against “Right to Work”  
Laws As Never Before**

**WHEREAS**, The partisan U.S. Supreme Court will in all likelihood decide against public employees in a case called Janus v. AFSCME, which seeks to overturn fair share fee requirements and deliberately hobble the ability of AFSCME and other unions to fight for organized workers; and

**WHEREAS**, This challenges a landmark federal case law set nearly 40 years ago when in 1977 the Supreme Court unanimously ruled in Abood v. the Detroit Board of Education that although public school teachers cannot be forced to join a union or to contribute to the union’s political expenditures, they can be required to pay their fair share of the costs that the union incurs in negotiating and administering an agreement on behalf of all teachers; and

**WHEREAS**, Despite the misleading rhetoric of opponents of labor, no worker is forced to join a union; yet unions are bound to represent all workers in a bargaining unit, even those who do not join the union; and

**WHEREAS**, Janus v AFSCME is strategically and substantively similar to the case of Friedrichs v. California Teachers Association, a bullet that labor was able to dodge in 2016 only due to an extraordinary fluke when conservative Justice Scalia passed away just before the vote was to be taken, and

**WHEREAS**, Recently confirmed Justice Neil Gorsuch, a Trump nominee and, like Scalia, a political conservative, is almost certain to vote with the right wing majority on the Supreme Court; and

**WHEREAS**, A decision to overturn Abood means that although nonprofit public sector unions such as AFSCME would still be required to represent all workers in their bargaining units, the unions would no longer be assured of receiving fees to compensate them for the costs of representing and serving their nonmembers, which would deeply undercut the unions’ financial viability; and

**WHEREAS**, The Janus case, and all right-to-work laws, encourages “free riders” – represented workers who receive the benefits of a union contract without paying the cost necessary to secure those benefits; and

**WHEREAS**, The Janus case seeks to weaken union power and solidarity by dividing workers.

**THEREFORE BE IT RESOLVED** Council 36 will continue to educate our members about this case and its threat to themselves and to the labor movement at large; and

**BE IT FURTHER RESOLVED** Council 36 will organize in protest of this union-busting campaign and mobilize our members like never before to protect our union and decent-paying jobs that sustain the middle class.

Submitted by:

AFSCME Local 2626, Librarian's Guild

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Committee Assignment

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Committee Recommendation

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Committee Action