



for Every Student

Janus Decision
June 2018

Janus v. AFSCME

Decided June 27, 2018

Alice O'Brien Legal Counsel Court struck down Illinois fair share fee law and overruled *Abood v. Detroit Bd. of Ed.*, 431 U.S. 209 (1977).

Janus Majority (Alito, J., writing)

- > Feepayers Have Fundamental Free Speech Rights
- > Fair Share Fee Requirements Infringe those Rights
- Serve No Compelling State Interest that Could Not Be Advanced through Less Restrictive Means
 - ➤ Not Necessary for Labor Peace
 - Free Riding Concerns Are Not Substantial and Can Be Addressed through Other Means
- Thus Illinois' Fair Share Fee Law Falls and Abood is Overruled

REBECCA FRIEDRICHS, ET AL., Petitioners

 $\mathbf{v}.$

CALIFORNIA TEACHERS ASSOCIATION, ET AL.

ON WRIT OF CERTIORARI to the United States Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the above court and was argued by counsel.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by this Court that the judgment of the above court is affirmed by an equally divided Court.

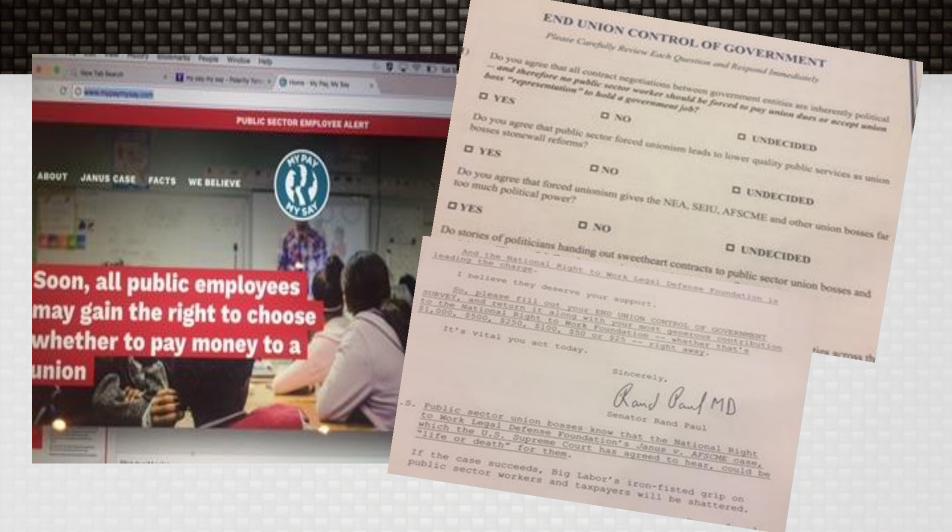
March 29, 2016



Litigation and Drop Campaigns Already Have Begun

- Eight of NEA's Affiliates Are the Target of Class Action Lawsuits Seeking to Recover Back Fees
 - CTA, MSEA, NJEA, NYSUT, OEA, EDMN, PSEA, WEA
 - Other Unions Also Have Been Targeted
- Two More Related Challenges Already Pending against CTA and PSEA
- Extensive Drop Campaign Activity by Freedom Foundation in Southern CA and WA
- National Drop Campaign Effort by Mackinac, which is being pushed out in wake of *Janus* decision





Immediate Next Steps

- Immediately Take Steps to Comply with the Decision
- CBA's and State and Local Laws Must Yield to Court's Ruling
- Fee Collection Must Stop in All 20 States in Which Affiliates Collected Fair Share Fees
- Organize and Engage Members

QUESTIONS





Janus and the 2018-2020 NEA Strategic Plan and Budget

Princess Moss, Secretary-Treasurer

Potential Membership/Budget Loss FY2018-19

- Membership loss based upon feedback received from State Affiliates
- Lose Janus and membership losses are similar to 5-Year aggregate loss rates (weighted) by 6 states that lost Agency Fee, Collective Bargaining or P/R Deduction (AL, AZ, MI, NC, TN, WI)

Description	2018-19
Active FTE Loss (8.55%)	(185,000)
Feepayer FTE Loss	(31,000)
Potential Budget Loss	\$28,000,000

\$50 Million over the next two years

Context for this Budget

Focus

- Assistance to Affiliates
- Leadership Development
- Programs that benefit our Members

Strategies

- Early Career Educators
- Racial Justice in Education
- Capacity of our Affiliates

Cost Savings: Doing Work Differently with Less

\$10.5m

Staffing

\$11.6m

Technology and Travel

\$750k

Print Publications

\$656k

Meeting Reductions/Savings

\$8.6m

Grants (Including By-Law Driven)

\$1m

Contingency Fund

Investments in State and Local Affiliates

\$2,031,000

- Locals Building Worksite Leadership Training
- Rapid Response Anti-Drop Campaigns
- Technical Assistance to 3-5 state and local affiliates to identify and train leaders in the NEA Leadership Competency Framework to build the growth and strength of the union
- Organizing communications training for member organizing and recruitment
- Expansion of NewEd digital engagement to reach zero to 5.

Investments in Growth and Strength of the Union

\$3,075,000

- Early Career Educators
- Advance Racial Justice
- Provide Professional Supports
- Increase Educator Voice

QUESTIONS



Thank