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Responding to Janus: Collective Bargaining and Membership Engagement

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UUP

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NYS Legislation - 2018

Union Protection Legislation
In Budget Agreement

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Union Notification - New and Returning Hires

Within 30 days, employer must

• Notify union of new or returning employees (names, locations, contact info.)

• Provide reasonable time during work hours for union to meet with all new hires, without loss of employee leave time

Membership reinstated for

• Members who have left service and return within a 1-year period

• Members who are placed on voluntary or involuntary leave, upon return to the public payroll
Dues Authorization Cards

• Individuals may sign dues authorization cards via means allowed by state technology law

  • Allows emails and other electronic means for signing

• The withdrawal process from the union may be determined by the dues authorization card
Dues Collection

• Employers must start dues deduction no later than 30 days after proof of signed dues authorization card received

• Dues must be transmitted to the union within 30 days of deduction

• Dues deduction continues until an employee revokes membership in writing according to the terms of the signed authorization card

• Dues deduction resumes if an employee returns after unpaid leave of absence, consistent with previously signed dues authorization card
Duty of Fair Representation

• Union’s duty of fair representation continues to extend to collective bargaining and contract enforcement

• Union’s obligation to represent non-members is limited to the negotiation and enforcement of the contract

• Union may decline to provide representation to a non-member in interrogations, in statutory or administrative actions, or in evaluation or disciplinary proceedings as long as the non-member may be represented by private counsel in such proceeding

• Union may limit legal, economic, or job-related services or benefits beyond those provided by the CBA to members only
  • Can offer benefits/services above and beyond a negotiated agreement to its members only