



## Alaska Public Employees Association/AFT (AFL-CIO)

*State Headquarters/Juneau Field Office*

211 Fourth Street, Suite 306, Juneau, Alaska 99801

**Phone:** (907) 586-2334 / (800) 478-9991 (*Within Alaska*) / **Fax:** 586-5905

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### **NOTICE RE: APEA/AFT AGENCY FEE FOR 2006-07**

This notice and the material that accompanies it are being sent to you pursuant to the United States Supreme Court decision in Hudson v. Chicago Teachers Union. These documents explain the basis for the Agency fee you are required to pay and your rights as an Agency fee payer.

Under the terms of the collective bargaining agreement between your employer and the APEA/AFT affiliate association in the region where you work, you are required to either become a member of the APEA/AFT and pay regular APEA/AFT dues or, while continuing as a nonmember of the Association, to pay the Association an Agency fee. As an Agency fee payer, you have the right to object to use of your fee for purposes unrelated to collective bargaining, contract administration, and grievance adjustment and employment conditions. APEA/AFT has determined that for the Fiscal year **July 1, 2006 - June 30, 2007**, the Agency Fee reduction amount, if you object ("reduced Agency fee"), will be **\$7.97 per month**.

Enclosed with this letter are documents that allow you to evaluate the determination of the amount of the reduced Agency fee:

1. FY 06/07 Agency Fee Report from the APEA/AFT that describe how the amount of the reduced Agency fee has been computed. A summary of FY 06/07 chargeable and non-chargeable expenses as well as budgeted chargeable and non-chargeable expenses for the upcoming fiscal year.
2. Budget for the APEA/AFT current fiscal year that reflects projected expenditures of the association for the period of July 1, 2006 - June 30, 2007.
3. A copy of the American Arbitration Association "Rules for Impartial Determination of Union Fees."
4. A copy of APEA/AFT Policies and Procedures for Agency Fee Payers.
5. A copy of the APEA/AFT FY 05 Independent Audit report of chargeable and non-chargeable expenses. The audit is intended to provide fee payers with sufficient information to gauge the propriety of the Agency Fee charged to such objecting fee payers in 2005.
6. A copy of AFT's Independent Audit report for chargeable and non-chargeable expenses for the year ending April 30, 2005.
7. A class I Notice of Objection form.

Under the terms of the APEA/AFT Agency Fee Procedure, you may 1) pay the full Agency fee, 2) object and accept the reduced Agency fee as determined by the Association, or 3) object and challenge the fee before an impartial arbitrator. If you elect to pay the full Agency fee, regular monthly deductions based upon the full Agency fee will be made from your salary. If you do object but accept the computation of the reduced Agency fee as determined by the Association, regular monthly deductions of the full fee will be made from your salary, and the non-chargeable amount will either be rebated to you by the APEA/AFT or your monthly Agency fee amount will be reduced. **A fee payer who does not object or who accepts the reduced Agency fee as determined by the Association waives his/her right to challenge the amount of the fee before the impartial arbitrator and to any future fee reductions based upon the outcome of the arbitration.** If you do object, and choose to challenge the fee before an impartial arbitrator, regular monthly deductions based upon the full Agency fee will be made from your salary and immediately placed in an interest-bearing escrow account until challenges to the Agency fee are resolved by an impartial arbitrator.

Should you wish to object to your Agency fee being spent for activities unrelated to collective bargaining and employment conditions, you must notify APEA/AFT by mailing a Class I Notice of Objection to the APEA/AFT Agency Fee, 211 Fourth Street, Suite 306, Juneau, Alaska 99801, or by delivering such a notice to APEA/AFT at the same address. The Class I Notice of Objection must be in written form and include your name, social security number, home address, the name of the employer and the name of the local Association which represents employees in your district. In order to be timely the Class I Notice of Objection must be postmarked or delivered **on or before June 30, 2006**. If we do not hear from you by that time, we will assume you are not objecting.

If you choose to challenge the amount of the Agency fee, and would like to go in front of an impartial arbitrator to state your case, contact APEA/AFT headquarters at 211 4th Street, Suite 306, Juneau AK 99801 and request a Class II Objection form. Upon receiving your request to go to arbitration, APEA/AFT will promptly ask the American Arbitration Association to appoint an arbitrator and you will be promptly informed of the arbitration hearing procedure. Following the arbitration hearing and a determination by the arbitrator, APEA/AFT will immediately have released from escrow and sent to you a check representing the non-chargeable amount for APEA/AFT as determined by the arbitrator, together with interest on that portion of the amount collected to date. Note that the arbitrator will have the authority to order a **larger** or **smaller** reduction than that determined by the Association as he/she deems appropriate under prevailing case precedent and the evidence.

It is our sincere hope that after reading these materials you will realize more fully the efforts made by the Association on your behalf and will choose to become an active member. We believe active membership is the best way to protect your employment interests in Alaska.

If you have questions contact Bruce Ludwig, Business Manager, in the Juneau Office at 586-2334.

Enclosures