
School Districts Prohibited From Deducting Union Dues or Fees From Employees' Pay

By Ann L. VanderLaan / Sep 04, 2014

The Governor signed Public Act 53 on March 15, 2012, which prohibits public school districts from deducting union dues or fees from employees' pay and sending the money to a union. This Act prohibits the use of taxpayer resources, including the use of school district payroll processing systems, from collecting and remitting union dues. The new law relieves school districts from the burden of collecting and remitting employee union dues or service fees from the school district's payroll deduction system, and, in fact, *prohibits* school districts from doing so. Now, the unions will have to make alternate arrangements to collect union dues or fees from school employees. The law has immediate effect.

Public Act 53 amends MCL 423.210(1)(b) of the Public Employment Relations Act to provide that:

A public school employer's use of public school resources to assist a labor organization in collecting dues or service fees from wages of a public school employer is a prohibited contribution to the administration of a labor organization.

The Act would continue to permit a public school district to collect union dues or service fees pursuant to collective bargaining agreement that is currently in effect until the collective bargaining agreement expires or is terminated, extended or renewed.

As previously permitted by State law, the Act does not prohibit a school district from entering into a collective bargaining agreement to require as a condition of employment that all employees in the bargaining unit pay union dues or an agency fee.

Under the recent Michigan Supreme Court ruling in *MEA v Land*, 489 Mich 194 (June 30, 2011), school districts are already prohibited from deducting employee pay for a union political action committee.

School districts should check their collective bargaining agreements that may require these deductions and seek to eliminate such language when the collective bargaining expires. If you have any questions about the new law and how it may affect your district, please contact your Clark Hill attorney.