Governor Inslee Meeting Memo
Upd. 9/1/2014 12:42 PM

FROM:	Paulette Avalos	**PHONE:**	360-902-0546
EVENT:	**MEETING WITH SEIU 925**		
DATE/TIME:	1/7/14/9:15-9:45		
LOCATION:	Governor's office		
ATTACHMENTS:			
CONTACT DAY OF:	Karen Hart		
CELL NUMBER:	206-251-0062		

MEETING OVERVIEW

SEIU 925 would like to discuss the case ***Harris v Quinn*** case which is currently in front of the U.S. Supreme court (see other side for recap of briefing on this case). Although the outcome of the case would affect both SEIU 925 and 775, SEIU 925 believes that the framework under which they operate places them in a more fragile position. They therefore would like your support as they work with the Department of Early Learning for improved efficiencies as they relate to the processing of union member lists.

Additionally they may ask YOU to support in their effort with SEUI 775 to change **PERC regulations** that would allow members to authorize membership through electronic authorization. Currently they are limited to written authorization.

Legislative agenda: They wrote: "everything comes from a frame of building the middle class, getting everyone to pay their fair share and setting up for long-term political and policy gains.

DESIRED MEETING OUTCOME

That you are happy to lend staff support to work with DEL in order to help address their unique perspective relative to *Harris v Quinn.*

You are supportive but will NOT ask PERC or join them in asking PERC to do a rule change so that membership can be done in an expedited manner, only because it is not the state's role to get involved with membership issues.

You are beginning to get actively engaged in the building the middle class agenda and happy to continue talking to them and others as this progresses.

TOP THREE TALKING POINTS

You are supportive of having DEL and Labor relations work within their technological constraints to get SEIU925 the information they need.

You are supportive of their efforts to get their membership in a stable place as it relates to dues, but will not take an active part.

You are beginning to meet with House and Senate Democrats to see where you can all land on the building the middle class (income inequality) agenda.

ATTENDEES

YOU,
Karen Hart, President
Lani Todd, Legislative and Public Policy Coordinator
Paulette Avalos, Labor Policy Advisor
Diane Lutz, Labor Relations
Aisling Kerins, External Affairs Director

ADDITIONAL BACKGROUND

BACKGROUND/CONTEXT:

In Harris v. Quinn, the Seventh Circuit US Court of Appeals upheld a collective bargaining agreement provision requiring Medicaid home care personal assistants to pay a fee to a union representative, finding that it does not violate the First Amendment. Because the personal assistants are employees of the State of Illinois, at least in those respects relevant to collective bargaining, the union's collection and use of fair share fees is permitted by the Supreme Court's mandatory union fee jurisprudence. The issue of requiring employees to at least pay a fair share amount representative of the costs of collective bargaining and contract administration has withstood previous challenges based on the First Amendment right to free speech and association. In Abood v. Detroit Bd. Of Educ., the Supreme Court held it is permissible to compel employees to support legitimate, non-ideological, functions tied to collective-bargaining representation. In Harris, among other things, the home care workers contesting the fee requirement contend that Abood and similar cases do not apply to them since they are not employees in the traditional sense. The Seventh Circuit declined to follow this argument and held the home care workers are employees.

ISSUES:

In January of 2014, the U.S. Supreme Court will hear Harris v. Quinn, and review the requirement that home care workers pay union dues or fees as condition to participating as a home care worker. The Court's decision to accept an appeal on this issue has caused concern by labor organizations. Specifically, at least two SEIU locals have sought support from the State to modify existing requirements for written authorization for dues deductions. This would presumably reduce the impact for labor organizations if the Court issues an adverse ruling in Harris v. Quinn.

STATUS:

Unions could mitigate the impact of this possible adverse outcome by increasing the number of full dues paying members. Under current state law, an individual electing to have union dues deducted must do so in writing. This requirement is currently administered by the Washington Public Employment Relations Commission (PERC). It is understood that at least two of our labor partners intend to approach PERC to seek modification of this requirement. Specifically, the interested unions would like to have the rule modified so that instead of a written authorization an employee can verbally agree to become a member with an electronic record of the authorization.