

Agency Fee Option for Required AEA/MTA/NEA Membership

All teachers, counselors, nurses and secretaries are required to belong to the local (AEA), state (MTA) and national (NEA) teachers' unions as a condition of employment (AEA Contract pg. 32, section 22). In Arlington, all district employees' contractual salaries and changes in working conditions (proposed additional responsibilities, for example) are negotiated through a bargaining process in which a team made up of representatives from both the local (AEA) and state (MTA) unions speak for all local employees collectively. State union negotiators are trained by the national union (NEA), so although NEA employees do not play a direct role in local contract negotiations, they do play an indirect role. Since the benefits of increased salaries and improved working conditions are applied to all employees, all employees are required to belong to the three unions. Union fees for all three unions make up the total annual "union fee."

State and national unions also engage in activities not directly related to members' salaries and working conditions. For example, both unions work to influence state and national government leaders to adopt pro-education policies and laws, such as increasing the state's monetary support for town schools or the election of candidates who value education spending. Some local employees are not comfortable with supporting this type of political activity. Therefore, any employee has the right to choose to pay an annual "agency fee" instead of the full three-union membership fee. The agency fee is determined by subtracting out from the MTA and NEA operating costs those activities that are related only to publicity and political actions such as lobbying.

Annual agency fees are currently determined to equal 63% of MTA dues and 42% of NEA dues. Our local union does not collect any dues when a member chooses to become an agency fee payer because, while our finances are reviewed each year by a CPA, we do not have the annual audit that is legally required in order to assign charges to either the "collective bargaining" or the "political action" columns. Nonetheless, the Arlington Education Association does not use members' dues for publicity or political action; all of our membership fees are spent for activities related to collective bargaining and working conditions. We would hope, therefore, that employees who choose to become agency fee payers would also choose to voluntarily pay the AEA dues fee.

It is important to understand that **an agency fee payer is NOT entitled to the following legal services which are provided by MTA lawyers for free to full-dues paying union members:**

- Defense against dismissal or suspension under the Education Reform Act of 1993
- Defense against child abuse charges filed with the Department of Social Services
- Assistance with criminal charges should a member be assaulted at work
- Defense against any employment discrimination (age, sex, race, religion, sexual preference, national origin, handicap, etc.)
- Assistance with resolving disputes concerning unemployment benefits
- Assistance with resolving disputes concerning retirement benefits
- Violation of a member's civil rights as an employee
- Assistance resolving disputes concerning workers' compensation
- Open meeting law violations adversely affecting a member
- Violations of a member's right to privacy

An agency-fee payer is also EXCLUDED from:

- the one million dollar insurance policy coverage that protects a member who is sued in connection with his/her employment
- MTA assistance in defraying legal costs associated with a member's defense against charges for crimes alleged to have occurred in the course of the member's employment
- access to reduced-fee legal services for non-employment legal problems (real estate, domestic relations, wills and estates, consumer protection and motor vehicle violations).
- the MTA discounted group purchasing of life and auto insurance, travel, mortgage refinancing, vision care, tax preparation, financial and other services.

**AGENCY FEE RATES FOR 2012/2013 FOR A FULL-TIME TEACHER:
MTA: \$303.00 + NEA: \$76.00 (if you should chooses to pay the AEA dues =
+\$128.00)**