

National Right to Work Legal Defense Foundation: Federal Labor Charge: Union officials threatened worker 'pay union dues or be fired'

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Operating Engineers union bosses continue to demand forced dues in defiance of the National Labor Relations Act

Milwaukee, WI (May 23, 2017) - With free legal assistance from National Right to Work Legal Defense Foundation staff attorneys, a Milwaukee-area worker has filed federal unfair labor practice charges against the International Union of Operating Engineers (IUOE) Local 139 for refusing to accept his dues checkoff revocation and threatening him with termination unless he paid union dues in conduct that violates the National Labor Relations Act (NLRA).

The worker, Anthony Arnold, is employed at United Rentals in Brookfield, Wisconsin. On August 15, 2015, Arnold sent the union a letter resigning his formal union membership and objecting to paying full union dues. About the same time Arnold also sent a letter to the union revoking his dues checkoff authorization.

When union officials failed to respond and grant his requests, Arnold sent an additional letter to the union in December 2016 stating that he previously had sent letters expressing his right to resign and revoke his dues checkoff authorization. Additionally, he asked for the exact amount of union fees he was required to pay

each month and explanation of a mysterious deduction that only said “139 App & Pen.”

In January 2017 the union responded with a letter saying that they would not terminate his dues checkoff authorization until July 1, 2017. The letter did not provide Arnold with all of the financial information he had requested including information about the “139 App & Pen” charge. Arnold’s checkoff card does not include language stating that he signed it irrespective of union membership, which means that he can revoke it at will, according to NLRA case law.

On April 13, 2017, Arnold received another letter from the union. This letter stated that he was behind sixty days in paying his dues—even though he is not a member of the union and had expressed his right to not pay full union dues—and that if he did not pay these dues by the end of month, the union would seek his termination. Fearing for the loss of his job, Arnold paid the union the fees demanded under protest.

“It is outrageous that IUOE union bosses are blatantly violating the NLRA by extorting payment of union dues through threats against a worker’s employment,” commented National Right to Work Foundation President Mark Mix. “These officials’ thuggish tactics against Mr. Arnold shows the importance of vigorous enforcement of the law.”

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