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NEW YORK CITY FILES AMICUS BRIEF TO DEFEND LABOR UNIONS' RIGHT TO COLLECT FEES

Legal papers defend union rights to collect essential fees from all public employees benefiting from collective bargaining

NEW YORK—Mayor Bill de Blasio and Corporation Counsel Zachary W. Carter today announced that the City of New York has filed an amicus brief with the U.S. Supreme Court in *Janus v. American Federation of State, County, and Municipal Employees, Council 31, et al.*, to defend a legal right that labor unions view as crucial to their success and survival. The City's amicus brief, along with the briefs of labor leaders, states from across the country, dozens of cities and counties large and small, public schools and hospitals, economists – including three Nobel laureates, constitutional law and labor law professors, members of the clergy across all faiths and faith-based organizations, private and public sector employers, governors, and a large number of nonprofits and foundations whose mission it is to ensure human dignity, equality and fairness to our economy, and others, was filed Friday.

At issue in *Janus* is the ability of unions to collect fees (known as “agency shop fees”) from public employees who elect not to join a union but nonetheless benefit from union collective bargaining activities. For over forty years, the Supreme Court has upheld the constitutionality of agency shop fees, but plaintiffs in *Janus* now seek to change the law and limit union rights.

“New York City is the city it is today because of the hardworking unionized men and women who built it and run it. Our city is stronger because of unions’ ability to organize and fight for all of our rights. Especially in the face of our current political climate, we should be bolstering tools for empowering and protecting workers not making them more difficult to come by,” said

Mayor Bill de Blasio.

The City's brief explains how New York City pioneered collective bargaining for public employees and how the City adopted agency shop fees to protect workers and the public through a fair and effective collective bargaining system. The fees are modeled after successful private-sector labor relations strategies.

“Prohibiting agency shop fees would strip jurisdictions like New York City of a tool that has for years helped foster productive relationships between governments and their public workforces. Agency shop fees have strengthened a collective bargaining process that has worked for us for nearly half a century,” said **Corporation Counsel Zachary Carter**.

Collective bargaining activities in New York City are time- and resource-intensive and require extensive expertise from both the government and union sides. Agency shop fees finance the provision of tools for negotiation and mediation that help resolve disputes for the benefit of public workers and city residents.

The entire amicus brief can be found [here](#).

“I’m very happy that Mayor de Blasio and his administration stand with Labor in this battle to protect a system which has been working very well for so many years,” said **Harry Nespoli, Chairperson of the Municipal Labor Committee and President of the Uniformed Sanitationmen’s Association, Local 831, I.B.T.**

“We want to thank Mayor de Blasio, who understands the critical role unions play in creating, supporting and growing the middle class in New York City,” said **Michael Mulgrew, president of the United Federation of Teachers**.

“We are pleased that New York City recognizes the vital role of unions in sustaining its working class and middle class. The Supreme Court case threatens to significantly undermine these protections at a watershed moment when the American middle class is eroding and wealth is concentrating increasingly in the hands of the very few,” said **Mark Cannizzaro, President of the Council of School Supervisors and Administrators**.

“*Janus v AFSCME* is nothing but a political attempt to strip unions of the ability to support our members in the public sector and destroy the protections that allow hardworking people to live with dignity,” said **George Gresham, President of 1199SEIU United Healthcare Workers East**. “New York City is indeed a union town, and I commend Mayor de Blasio for supporting workers, and the right to collectively bargain for the wages, benefits, and working conditions they deserve.”

“We applaud Mayor de Blasio for standing up for public sector union members and their right to have a strong union so they can bargain good contracts. This case is an effort by right-wing billionaires to destroy public-sector unions, silence the voice of working people and drive down their pay and benefits. Our union and many others are fighting back and we thank the mayor for joining this fight with us,” said **32BJ President Hector Figueroa**.

“Big business is going after union fees in order to weaken unions and weaken worker power. It’s thanks to unions that we have an eight hour day, minimum wage, and basic safety protections. I applaud Mayor de Blasio for standing up for the rights of workers to have strong organizations advocating on their behalf,” said **Teamsters Joint Council 16 President George Miranda**.

“For decades the collective bargaining process has helped workers secure decent wages and benefits that have allowed them and their families to achieve the American Dream,” said **Queens**

Borough President Melinda Katz. “A ruling for the plaintiff in the *Janus* case would undermine the collective bargaining process and put the futures of millions of American workers and their families at risk. Mayor de Blasio and Corporation Counsel Carter deserve to be commended for filing an amicus relief that clearly argues why the Supreme Court should not issue a ruling that would hurt so many hard-working people.”

“As a longtime union activist and former labor organizer, I understand how important collective bargaining is to the workers who rely on it. As the Chair of the New York State Senate Labor Committee, I am strongly supportive of the right of collective bargaining, which past generations of activists fought and died for. I fully support the City of New York’s decision to issue an amicus brief for AFSCME in this case. I urge the Supreme Court to affirm the principles of workplace democracy by ruling in AFSCME’s favor in this case. In addition, I will take action to blunt the effect of any adverse ruling with my ‘New York State Card Check’ bill, S5778, which passed the Civil Service and Pensions Committee on Tuesday and which I will assiduously work to bring to the State Senate floor,” said **State Senator Marisol Alcantara, Chair of New York State Senate Labor Committee.**

“In 2008, the NYS Legislature enacted the Agency Shop law in recognition that it was in the State’s interest to guarantee a strong, viable Labor Movement in the Public Sector. Any attempts to undermine the representatives of Working Men and Women is a direct assault on the values that New York has long held that the Labor Movement is and must continue to be the vehicle that moves workers from poverty to the middle class,” said **New York State Senator Diane Savino.**

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