



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007

FOR IMMEDIATE RELEASE: November 15, 2015
CONTACT: pressoffice@cityhall.nyc.gov, (212) 788-2958

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

Amicus brief defends 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 *Friedrichs v. California Teachers Association* 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 New York State Attorney General Eric Schneiderman, labor leaders, states from across the country, dozens of cities and counties large and small, public schools, public hospitals, and others, was filed Friday. At issue in *Friedrichs* 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 thirty years, the Supreme Court has upheld the constitutionality of agency shop fees, but plaintiffs in *Friedrichs* now seek to change the law and limit union rights.

"New York stands with its unions and the working- and middle-class families that unions protect," said **Mayor Bill de Blasio**. "Unions have been key in the fight against inequality, and their role remains vital today when workers' rights are increasingly under attack. New York City is proud to join a broad coalition of civic leaders urging the Supreme Court to respect historic union rights."

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](#). New York City's Health and Hospitals Corporation also signed a brief filed by public hospitals around the country supporting the unions.

"This case is about a small group of people who have made it their mission to destroy the middle class in this country and organized labor are the only people willing to stand up to them," said **United Federation of Teachers President Michael Mulgrew**.

"This case is about corporate CEOs and wealthy special interests trying to manipulate the Supreme Court to unfairly change the rules to their benefit, making it even harder for working people to come together, speak up

and get ahead,” said **District Council 37 Executive Director Henry Garrido**. "They seek to undermine the efforts of working men and women to come together and speak as one voice in the struggle to protect wages, benefits and rights.”

“The Council of School Administrators & Supervisors appreciates and heartily endorses Mayor Bill de Blasio’s and Corporation Counsel Zachary Carter's decision to file an amicus brief in *Friedrichs v California Teachers Association*,” said **CSA President Ernest Logan**. "The filing is a nod that rules in place since 1977 governing labor relations and union organization currently work for NYC's 325,000 employees, not to mention the more than 1 million City workers who came before them. We believe the court will recognize this case for the pernicious attack on unions that it is. We thank Mayor de Blasio who, through this filing, affirms that unions have been and continue to be a vital part of New York City."

"New York City and Mayor de Blasio should be commended for standing up for the fundamental right of working people to negotiate together for a better life. The city was built by the working class and its livability continues to rest on workers and our unions. The billionaires behind Friedrichs want to destroy unions because they know that unions offer this country's the strongest concerted challenge to economic inequality," said **Barbara Bowen, President of the Professional Staff Congress/CUNY**.

"We applaud Mayor de Blasio for taking a strong stand against this right-wing attack on the labor unions that built the American middle class. This brief makes a convincing case that collective bargaining benefits not only union members but City taxpayers,” said **Maria Castaneda, Secretary Treasurer of 1199SEIU United Healthcare Workers East**.

"We applaud the Mayor for standing in solidarity with workers in New York and across the country, and sending a strong message that threats to the labor movement threaten the very middle class that built this nation. Together, we stand united in opposition to this brazen attempt to weaken workers' rights and stack the deck against everyday people," said **Peter Ward, President of the New York Hotel & Motel Trades Council**.

Hector J. Figueroa, President of 32BJ SEIU, said, "It's through unions that working people have a voice and an influence – union members work hard for their families and contribute to their communities. That’s why big corporations and some extremely wealthy individuals are pushing legislation and lawsuits to make it harder for people to join together and form unions. These special interests know that when people join together in unions, we make major gains for our families and our communities – like higher pay and investing in public education and in public safety. They want to stop people from joining together to build a country where everyone makes enough to sustain their families. But working people across the country are standing up in numbers we haven’t seen in decades to make change in their lives and in their communities. Our union is proud that leaders such as Mayor de Blasio and New York State Attorney General Eric Schneiderman are standing on the right side of history. We know that if we band together, if we keep taking action in the streets, in our workplaces and at the ballot box – we will be able to change America."

"Even though the Friedrichs case may be directed towards public employees and their unions, it is really an attack on all working people – regardless of what they do. This case is part of a concerted effort to weaken unions throughout the country. We commend the de Blasio administration for submitting this amicus brief. As we have unfortunately seen too often, efforts to weaken unions result in increased income inequality and are bad public policy," said **Stuart Appelbaum, President of the Retail, Wholesale and Department Store Union**.

“The right to organize is a fundamental right for American workers,” said **Attorney General Eric Schneiderman**. “Unions go hand-in-hand with a strong middle class. Organizing gives workers the power to lift themselves out of poverty and build a better future. The Supreme Court should follow settled precedent and allow states like New York to manage our own labor relations to achieve labor peace and government efficiency and to continue our long tradition of support for workers.”

"Unions are key to strengthening the middle class. I join Mayor de Blasio in supporting the right for unions to collectively bargain. We stand in solidarity with our union brothers and sisters in California and across the country," said **New York City Public Advocate Letitia James**.

"The *Friedrichs* case before the Supreme Court threatens to undermine unions' ability to negotiate fair wages and decent benefits, and protect workers' rights. We must not allow political interests to roll back the important progress that the labor movement has made. I thank Mayor de Blasio and the Law Department for standing up on behalf of our City by urging the Supreme Court to affirm decades of precedent on behalf of organized labor and the hard working women and men it represents," said **New York City Comptroller Scott M. Stringer**.

"As a proud man of labor, a union member most of my working life, I understand how fundamental collective bargaining is to the health of our nation's middle class. In the face of attacks that are attempting to send workers' rights back to the dark ages, I ask the Supreme Court to uphold the labor laws of our country in this case," said **Brooklyn Borough President Eric Adams**.

"The Labor Movement has long been the vehicle that has moved millions from poverty to the middle class. Since its inception, there have always been those who have tried to silence workers and disable their representatives. This suit is just another chapter in the book of waging war against workers," said **New York State Senator Diane Savino**.

"Agency shop fees absolutely work; they maintain the integrity of the collective bargaining unit and serve to protect all workers, not only the masses," said **Council Member I. Daneek Miller, Chair of the Committee on Civil Service and Labor**. "It is vital to ensure that rank-and-file collective bargaining is not undermined by the short-sighted view of those whom attempt to ride on the sacrifice of many. Workers' rights and solidarity are protected through collective bargaining, including agency shop fees."

"Collective bargaining is a critical right for workers, in the public and private sectors. Only by organizing together can workers be treated fairly, earn a living wage, and help make our workplaces better, more respectful, more productive places. Agency shop fees are an essential part of that process. I'm proud that New York City is standing up for the rights of workers," said **Council Member Brad Lander**.

"Thank you Mayor de Blasio for fighting to protect the rights of workers to collectively bargain. As workers' rights are under attack across the country by the same billionaires that are behind *Freidrichs*, we must remember that unions are key to combatting economic inequality and providing a better life for working families," said **Bill Lipton, New York State Director of the Working Families Party**.

"Public sector unions are the backbone of the labor movement, and the progressive movement at large. We stand with Mayor de Blasio and every school teacher, custodian, and public servant whose lives have been bettered by a public sector union," said **Jonathan Westin, Executive Director of New York Communities for Change**.

###