



**A TWU guide to building union
power for strong families,
sustainable wages & benefits,
and a voice on the job.**





Janus v. AFSCME Council 31: TWU'S Plan of Action

Introduction

A loss for labor in this case means that public sector unions will no longer be able to collect fair share fees from workers who choose not to join. While the loss of those fees is not necessarily a death knell for public sector unions, it is most certainly a serious threat, and business as usual will end.

However, with 250,000 new workers coming into the labor movement in the last year and union membership for workers under 35 continuing to grow, TWU and our brothers and sisters in labor are ready to build a stronger and more unified movement to face this upcoming challenge directly.

The goal of this toolbox is to provide a roadmap for the changes that will invigorate your local, and help every member see the union as the most important organization in their lives. We have included suggested areas to focus your efforts, and as you read through and begin to plan your locals' strategy, keep in mind that all changes should be geared towards one goal: building union power. When your union builds and exerts power on the job – through collective bargaining, collective action, contract enforcement, and member mobilization both on the job and in the community -- members will see the union as relevant and join.

Internal Organizing

As you develop your local's response to the loss of the fair-share fee requirement, remember this: all successful organizing efforts start with a plan. Your local should convene its activists, officers and leaders and develop a written internal organizing plan with clear goals,

mobilization targets, and outcome and accountability measures that are all geared toward advancing the fight for justice on the job and in the community.

The most critical task is to get representatives in the field, out on the job, and face-to-face with members. You want your local to be known for its culture of listening to members, rather than talking at them. Use what you hear and be sure to respond, and build your fights based on what members care about. Your local would be well-served to communicate what the union has won in the past: job security, wages, safety enhancements, and any other recent victories that will resonate. If members believe that paying their dues is an investment in the union's ability to fight back, and that the union is capable of fighting back successfully, then they make the investment.

Here are some key steps you can take now to ready your local for this ruling:

1. Perform a Dues Authorization Card and Membership Data Review

Every seasoned organizer knows that no campaign is successful without good data, starting with membership lists. Your local should have a system to receive electronically bargaining unit member updates from the employer, including, at the very least: name, job title, department, work location, telephone and cell phone number, home address, and personal and work emails for every current and new employee (within seven days of hire) every month. If you do not currently have this in place, approach the employer in a strategic manner and get it. These employer lists should be used to find gaps in the union-generated list, as well as identify those for whom only agency fees are being remitted.

If you have a receptive employer, suggest bargaining language that sets in place a regular process for sharing employer-generated data. This will provide you language





to which you can hold them accountable.

As you plan how to collect data, consider creating forms or using a spreadsheet to streamline the process. Perform an audit of your current data to address these key considerations:

- Do you have a signed dues authorization card for every one of your members?
- Do you know who every agency fee payer is?
- Do you have good lists?
- Are they employer-generated and/or union-generated?
- Who is in charge of this?

2. Launch a Card Drive

Once you have assessed your data and the status of your cards, launch a card drive among members for whom there are no cards on file. Your local should have a signed card on file for every member before the decision comes down, which is expected sometime between March and June of 2018.

A card drive will require you to develop several critical pieces, including:

- ▶ An outreach plan that ensures someone from that locals talk to every member by a certain date.

Track each one-on-one conversation and make the following evaluation of each member using the below scale:

- Dues-paying member, strongly committed to union
- Dues-paying member, committed to union
- Dues-paying member, likely to drop after Janus decision
- Agency-fee payer now, likely free rider after decision

- ▶ A follow-up plan to speak to your current agency-fee payers, and convince them to become dues-paying members. Set a date by which you will have spoken with every agency-fee payer and hold yourself accountable to that timeline.
- ▶ One-on-one talking points for why members should continue to be part of the union and agency fee payers should join, including a list of benefits that are in addition to the CBA: social events, insurance, participation and training opportunities, etc. (See *example at end*)
- ▶ A one-pager that explains how dues are used to benefit the members. (See *example at end*)

Train all your representatives and stewards on these materials, and on methods to conduct productive one-on-one conversations.

4. Develop a Plan for Drops

Regardless of how well you organize, and how successful your local is at advancing and improving working conditions, some members will decide to drop out. Develop a plan to deal with this – a house visit? Steward outreach? Post a list on the union bulletin board of members who have dropped out? Deny them overtime?

The goal of this plan is ultimately to get them back into the union, so be sensitive and find out why they left. Listen to them and hear their concerns.



5. Account for New Members

You must get a signed dues authorization card from every new member, and new member orientations and one-to-one inoculation conversations are the best place to do this. In the first week on the job, every new member should meet a union rep, hear the reasons why the union is important, and sign a dues authorization card. In order to ensure new members see the union as relevant to them, it is critical that union reps/stewards follow up with these members regularly.

Make sure you have a negotiated and agreed upon system with the employer for the union to be notified of new hires. The union should be given time at all new employee orientation meetings to make a presentation about TWU and get new hires to sign a card.

6. Prepare for Contract Negotiations

Is your local prepared to negotiate? In the middle of negotiations now? Do you have a receptive employer willing to open negotiations?

In a post-Janus world, locals should look to secure as much as possible in their CBAs, because legal protections for workers are diminishing rapidly. Things to consider when bargaining:

- New hire mandates: access, notification, right to distribute materials, timelines, etc.
- Requirement that employer gives new hire packet from the union to every new member at hiring
- Union has all company emails and will periodically send mass updates

- Bargaining unit lists received electronically: include rehires, transfers, dismissals
- Yearly or more frequent union trainings (labor relations and CBA updates) during work hours/on the clock
- Paid release time
- Union section on company's website
- Union training sessions when there are CBA/policy changes
- Electronic sign up for dues authorization
- Payroll deductions etc.
- Worksite access

7. Enhance Political and Legislative Efforts

The Janus ruling has yet to be made, so it's only speculation how detailed and proscriptive it will be. States may have tremendous leeway to legislate union protections or restrictions; it's conceivable, for example, that states could require members to recommit every year, or mandate that once opted in, members must actively opt out. These are just a few of the possibilities to consider.

Locals should work with their State Conferences to support TWU's legislative and political efforts to fight back against a negative Janus decision. Many progressive legislative solutions can be supported and even replicated at the state level.



Transport Workers Union of America Union Dues Fact Sheet – January 2018

Dues are an important topic in any union. And when times are tough, almost any expense can seem burdensome to members. Explain how dues are a good investment rather than a bothersome expense.

You receive all the benefits achieved by the union in negotiations with your employer. When your union negotiates wages and benefits on behalf of many employees, you are part of a much larger group that has much greater bargaining power in dealing with employers. For example, one worker may believe new safety measures should be implemented but may not be able to get his employer to agree. If more workers band together in a bargaining unit to pressure the company to implement the safety measures, there is a much better chance the company will listen. This is commonly referred to as collective bargaining.

Collective bargaining results in many positive benefits: the wages of union members are, on average, 30% higher than those of workers who do not have union representation; 93% of union workers are entitled to health benefits, while only 69% of non-union workers do; and 77% of union workers have a guaranteed pension, compared to only 17% of non-union workers.

In addition to higher wages, union workers enjoy better health insurance, pensions, occupational safety and health, and job security than do unorganized workers.

Far more than unorganized workers, unionized employees receive fair treatment, rights, dignity, and respect on the job.

What are the dues used for? Many things:

- Negotiating contracts requires research analysts, negotiators, union reps, and field staffers to organize rallies, worksite actions, and press events.
- Defending members and enforcing contracts requires money for legal help as well as grievance and arbitration expenses.
- Winning improved public services utilizing professional research, and testifying at the local, state, and federal level.
- New member organizing to improve wages and benefits in competing workplaces so our own wages and benefits are not eroded or contracted out.
- Occupational safety and health training, which requires safety professionals.
- Education and publications for union programs of all kinds, including newsletters, media campaigns, public relations efforts, and opinion surveys.
- Campaigns, strikes, welfare, legal defense, and other worker funds, which can benefit any member.
- Office rents, travel, supplies, and administration, which again, can benefit any member.
- Support for programs on civil and human rights, equal opportunity, veterans, retirees, and women's issues.
- Membership in the TWU of America (140k strong), pro-labor professional organizations as well as state and local labor federations and councils.
- Solidarity functions such as holidays, retirement celebrations, picnics and fishing.





Transport Workers Union of America Janus vs. AFSCME Talking Points

These talking points are designed to help speak to four types of members.

The goal of these conversations is to identify if the person is a:

- Dues-paying member and is strongly committed to sticking with the union,
- Dues-paying member and is committed to sticking with the union,
- Dues-paying member who is thinking about no longer being a member so as to not have to pay dues, or
- Already an agency-fee payer and needs to be convinced to rejoin.

Below are some suggestions for language you might use to get members to solidify their commitment, or to recommit to the union:

- Talk about a recent fight or victory the union had. Was it on safety, a decent contract, or a collective action, a rally, march on the boss, or a significant arbitration victory? Talk about the union's role in that victory.
- Talk about what the union does practically every day: canvass overtime, facilitate shift swaps, enforce safety, bargain with the employer, etc.
- Reference recent contract fights, and explain how the union can't win a robust contract fight without money, and how management is always looking to get an advantage and seek concessions, givebacks, cuts in benefits.
- Of course, you can also reference the well-known benefits of being in a union:
- Higher wages, job security, safer workplaces, and better benefits than non-union workers. All of these are at risk if the union cannot continue to fund its representational and workplace activities.

