

# Deducting Union Dues for Teachers

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Indiana law currently requires a school employer to deduct from teacher paychecks dues owed to the local teacher association if specific requirements are met. Those requirements include having written authorization from the teacher to make the deduction, understanding that the authorization can be revoked at any time by the employee, and having at least 20% of all teachers employed by the school corporation requesting the deduction. (If less than 20% of the teachers request the deduction, then the employer has the discretion to make the deduction.) See I.C. 20-28-9-18 and I.C. 20-29-5-6.

The General Assembly amended this law this past session to require the Attorney General to prepare a written authorization form for school employees to use to authorize a deduction from their pay for union dues. The authorization must contain statements that the teacher understands his/her right to refrain from joining and paying dues to a union, that membership and payment of dues are voluntary, and that the employee may revoke the authorization to deduct union dues at any time. Additionally, the General Assembly added language specifying that authorizations for deductions for union dues may not exceed one year and must be renewed annually. The changes to the dues deduction law took effect upon passage. See P.L. 98-2021.

To implement these changes, the law specifies that any authorization for a deduction for union dues submitted by a teacher before July 1, 2021, expires on July 1, 2021. Any future authorization for a union dues deduction must meet the requirements of the new law. Additionally, before July 1, 2021, the Attorney General is required to notify all school employers of the new provisions and include the new authorization form. School employees must then complete the form and submit it to the school employer. The school employer must confirm receipt of the authorization form by sending an electronic mail message to the teacher (at the teacher's work electronic mail address) and wait for confirmation of the authorization to deduct the dues by the teacher before making any deduction.

Because teachers will have to annually renew the required authorization to deduct union dues, the school employer will also have to annually provide notice to its teachers of their right to cease payment of union dues and to withdraw from the organization. This notice must also include the authorization form created by the Attorney General and the amount of dues owed to the exclusive representative. The school employer has the discretion to determine when this notice will be provided to its teachers.

It is important to note that these changes affect only deductions for teacher union dues and not deductions for other purposes, which was a point of contention when the bill was being heard by the General Assembly. Additionally, three local teacher associations recently filed a lawsuit against the General Assembly, challenging the legality of this new process. But until any decision by a court, all parties will have to abide by this new process.