



Pennsylvania Conference of Teamsters

Strength in Numbers 95,000

LEGISLATIVE ACTION ALERT

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Significant Victory for Unions

Pennsylvania Superior Court upholds the imposition of a fee schedule applicable to nonmembers

Ever since the *Janus* decision in 2018, unions have struggled with the issue of how to deal with non-members' grievances. At that time, we advised that it was probably permissible to charge them for grievance representation. Well, the Pennsylvania Superior Court has agreed. On March 20, the Court issued its decision in *Chris Taylor v. Pennsylvania State Corrections Officers Association* upholding the imposition of a fee schedule applicable to nonmembers. The PSCOA established the following schedule for processing grievances:

Step 1: Filing fee \$50.00

Step 2: Filing fee \$100.00. Panel cost of 3 business agents @ \$40.00 per hour. Representation from local-Local VP @ \$200.00 per day plus travel and lodging

Step 3: Filing fee/Cost of Arbitrator \$3000.00. Lawyer @ \$250.00 per hour plus travel and lodging. Business Agent @ \$40.00 per hour. Executive Officers @ \$85.00 per hour

The union established a separate schedule for Heart and Lung Act cases.

In finding that the union had not breached its duty of fair representation, as charged, the court cited to the language in *Janus*, where the Supreme Court had indicated that nonmembers could be required to pay for processing their grievances.

While this decision is a significant victory, there is a strong likelihood that it will be appealed to the Pennsylvania Supreme Court.

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