Most UPI 4100 bargaining units have fair share members—as well as some members of the union—who are confused about just what fair share means and how it works. Here are some facts to help clear up the confusion.

**Fiction #1: “Fair share is unfair because I don’t get the protection of the contract and yet have to pay what the union members do.”**

**The Facts:** The fair share legislation that became law in Illinois in 1984 is a compromise between the “right-to-work” laws in effect in states like Missouri and Indiana, and true “union shop” rules at the workplace.

A number of states with conservative legislatures have passed laws that give workers the option to enjoy the benefits of a union contract at the workplace without having to join the union that bargained the contract or pay union dues. The union must still represent all employees within its bargaining unit, regardless of whether all or even the majority are paying members. The result of this, over time, is usually fewer unionized workplaces. And thus fewer contractual protections for any workers.

At workplaces with true union shop rules, a worker must be a union member to work there, and pay dues to cover the cost of bargaining and implementing the contract that protects her on the job and provides benefits she would not otherwise enjoy.

“Fair share” is a compromise, in that fair share bargaining unit members pay the equivalent of union dues without having to join the union; in return, they are covered as completely by the union contract as are union members. This means they enjoy the same benefits and, and can take advantage of the same grievance procedures and other protections.

It is important that fair share members understand that they are already paying exactly what they would pay if they were members (i.e., their payments wouldn’t increase if they signed up to become a union member), and are already enjoying exactly the same benefits and protections as union members. The only thing that will change if they decide to become a union member is that their voice will be added to those determining the terms of the contract. Fair share members are not legally allowed to vote on whether to accept or reject the contract.

Thus, they lose nothing by joining, but do gain a voice in a democratic process.
Fiction #2: “I resent that my fair share payments are used to fund political candidates I don’t want to support.”

The Facts: None of the UPI 4100 portion of dues or fair share payments is used for contributions to political campaigns, or for any other direct assistance to candidates for office. Financial support for political candidates can be provided only through a separate fund that members and fair share payers can pay into voluntarily. At UPI 4100, this fund is called the COPE fund (Committee on Political Education), and those who want to contribute can do so either through authorized payroll deduction check-off, or by sending in a check written specifically for the COPE fund. But none of their dues money or fair share contributions is ever used to support candidates for office.

A small percentage of the dues/fair share payment is allocated to the Illinois Federation of Teachers, which is legally allowed to use this money for political work. Fair share payers who do not want to pay this portion of the dues equivalent can petition for reimbursement of this very small amount.

Fiction #3: “I’m a political conservative, and I resent having to comply with a ‘fair share’ ruling pushed through by liberals.”

The Facts: Actually, fair share was signed into law by conservatives, under the Republican Administration of Jim Thompson in 1984. The precise language for fair share is part of the Illinois Educational Labor Relations Act, which can be downloaded in full at http://www.illinois.gov/elrb/IELRB_ACT.pdf. In the language of the Illinois Educational Labor Relations Board website,

The Illinois Educational Labor Relations Act (IELRA) was effective January 1, 1984. Therein, the Illinois General Assembly declared the purpose of the IELRA was to promote orderly and constructive relationships between educational employees and their employers, recognizing that harmonious relationships are required between educational employees and their employers. The General Assembly stated that this policy is best accomplished by (a) granting educational employees the right to organize and freely choose their representative; (b) requiring educational employers to negotiate and bargain with employees’ representatives and to enter into a written agreement with these representatives; and (c) establishing procedures which protect the rights of educational employees, their employers and the public. Section 5 of the IELRA created the Illinois Educational Labor Relations Board (IELRB), the public body charged with administering the IELRA.

More questions? Check out the UPI Local 4100 website at www.upilocal4100.org,

Or, email your questions to

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