



# The Columbian

## Opinion - Court ruling harms rights of teachers

Thursday, March 23, 2006

**ELIZABETH HOVDE for The Columbian**

What would you do if your employer decided to charge you \$800 a year so he or she could lobby state lawmakers for various industry changes? Worse, what if some of the money your employer required you to pay would go to political causes with which you disagree, vehemently? Perhaps the employer would write big checks, using employees' hard-earned dollars, to finance President Bush's re-election campaign, or support pro-life rallies in Olympia or help PETA canvass your city with billboards about the evils of eating meat. Maybe your employer tells you that if you don't like it, you can quit. You consider that, but quitting would mean leaving your chosen profession or moving to another state.

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Most people would be outraged if forced to support political causes against their will as a condition of employment. But a recent state Supreme Court ruling ensures that the Washington Education Association can treat educators this way. Teachers and other government workers deserve more from their employer, which, by the way, is state taxpayers, not the WEA. Taxpayers fund the salaries that the WEA raids.

The union consistently argues that educators are underpaid, and it organizes "macaroni and cheese" campaigns in Olympia to convince lawmakers and the public that teachers are such paupers that they can't feed their families properly. So if school employees are so impoverished, why do the WEA and its affiliates take hundreds of dollars out of teachers' shallow pockets each year? (My husband is a high school counselor, by the way. My family eats well.)

The WEA contends the taking is for teachers' own good. It clearly thinks it knows better than educators how to spend their salaries. But I bet if teachers had the knowledge, time and courage to take on their union, they'd prefer to keep that \$700-800 each year. And if you read the WEA's monthly rants decrying lack of suitable progress on wages and working conditions, you might wonder how educators could fare any worse without the union's efforts.

Initiative provides a solution

Requiring people to pay union dues to be public school teachers is bad public policy that lawmakers and citizens should change. (An initiative filed in January would do that. Visit [www.secstate.wa.gov/elections/initiatives/people.aspx](http://www.secstate.wa.gov/elections/initiatives/people.aspx) for more information about Initiative 926.) Equally offensive as mandatory union dues is last week's court ruling that hinders a dues-payer's ability to keep some of her money from going to political causes she opposes.

The WEA allows a person to be a "nonmember," but that's misleading. A

"nonmember" still pays union dues, but she can object to the union's political expenditures and recoup a small portion of her dues. RCW 42.17.760 offered some protection for such nonmembers stating, "A labor organization may not use agency shop fees paid by an individual who is not a member of the organization to make contributions or expenditures to influence an election or to operate a political committee, unless affirmatively authorized by the individual." The law was passed in 1992 by 72 percent of voters, but the WEA was taken to court for flouting the law and making political contributions without individuals' authorization. In a shocking 6-3 decision last Thursday, the court invalidated the law, saying it infringes on the union's right to free association.

As Justice Richard Sanders wrote in dissent, "The majority claims this statute violates the First Amendment associational rights of the union. This argument's flaw is at its foundation: association is a two way street requiring a mutual desire to associate by all concerned. But here non-union employees have elected not to associate. This does not violate the associated rights of the union or its members since it had no constitutional right to compel membership much less monetary support from nonmembers in the first place."

A law against compulsory union dues would fix last week's flawed ruling and more. As Thomas Jefferson said, and Sanders cited: "That to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors, is sinful and tyrannical." I hope for an end to state- and WEA-sponsored tyranny soon.

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