

This is a printer friendly version of an article from the **The Olympian**  
To print this article open the file menu and choose Print.

[Back](#)

---

## State workers file suit over forced union dues

By ADAM WILSON

THE OLYMPIAN

A national group has filed a lawsuit on behalf of state workers opposed to mandatory union dues in hopes of winning back the jobs of those fired for refusing to pay, workers said Wednesday.

□ The lawsuit ups the stakes in a long-running dispute between the Washington Federation of State Employees and what until now had been a loosely organized, poorly funded group of workers.

"It's great. It's a start," said Elsie Neal, who lost her job with the Department of Social and Health Services in Vancouver and who showed up at a rainy news conference to hear the news Wednesday.

Until last year, workers in many other unionized state agencies could choose whether they wanted to pay dues. But new union-negotiated contracts — which also included the first provisions for state worker pay raises and benefits — require employees to pay for representation.

Neal refused to pay the dues. She said she doesn't like the federation's politics or its practices. She was fired in January, one of at least six state workers to lose their jobs over the issue.

A group of other workers opposed to the dues joined with the National Right to Work Foundation to file a lawsuit in federal court against the union and the state, saying workers' constitutional rights have been violated.

"We've reached the time when everyone should pay their fair share," countered the union president, Western State Hospital worker Carol Dotlich.

The union has long maintained that the mandatory dues are not only legal, but also common in the private sector and for unionized city and county workers.

Speaking in the federation's headquarters across the street from Wednesday's rally, Dotlich said the national right-to-work group is using the plight of a few people who refuse to pay dues to undermine the rights of the majority of workers who have agreed to pay for representation.

"They're preying on our members to push their agenda. I don't think that they care about state employees at all," Dotlich said. "If you look at the actual number of state workers who are walking away rather than pay dues, out of a pool of 38,000, it's really small."

Six workers are known to have been fired for not paying union dues, but no comprehensive list of such firings is kept by the state. After a union informs an agency that a worker is not paying dues, it is up to the agency to either resolve the situation or fire the worker.

The union created a list of 779 workers who were not paying dues in November, but the list is down to 50 people, and most of the rest agreed to the dues, spokesman Tim Welch said Wednesday.

Most covered workers — 33,000 — opted to become full union members rather than pay a lower fee that does not include political action, he said.

"They can say what they want to say, but the facts speak for themselves — most people joined the union," Welch said.

The National Right to Work Foundation opposes mandatory union dues and has backed laws prohibiting them in other states. The suit seeks an injunction against any future state terminations based on the federation contract, foundation attorney James Plunkett said.

"We would hope we would get all employees who have been terminated their jobs back with benefits," Plunkett said.

The case was filed in U.S. District Court, claiming the union violated workers rights by failing to make clear how much of the union dues goes toward political purposes. It names the state Labor Relations Office and several agencies as defendants.

Foundation officials acknowledge that mandatory dues are legal, but workers have a right to an audit of the union's books, and the union has mishandled workers who object to dues on a religious basis, Plunkett said.

It is not clear how long it will take to resolve the case, but the National Right to Work Foundation succeeded in its goal of publicizing the issue. Television camera crews stood in the rain along with about two dozen state workers and reporters, as a few of the workers named in the case told their stories.

"If nothing else, it will let the employees out there know that they are not alone — there are people who will stand up for them," said Kimberly Johnson, a Department of Labor and Industries worker involved in the lawsuit.

Maxine Dunkelman, a fired Department of Health worker also involved in the lawsuit, said Wednesday's announcement was less important than the organizing that made it possible, including the anti-contract group Free Conscience.

"The big step is we all came together with different political backgrounds, different work backgrounds ... to make sure state employees are not run over roughshod by the union," she said.

*Adam Wilson covers state workers and politics for The Olympian. He can be reached at 360-753-1688 or [awilson@theolympian.com](mailto:awilson@theolympian.com).*

---