

# ASK THE PRESIDENT

**Q: *What is a Bargaining Unit?***

**A:** A **bargaining unit** is a group of employees working for the same employer who are recognized by the employer for the purpose of union representation, or with whom the employer is willing to negotiate on specific terms and conditions of employment. The National Labor Relations Board or similar federal, state, or local agencies usually define a bargaining unit.

**Q: *What is a union?***

**A:** A **union** is an organization of workers joined together for a common purpose; for mutual aid and protection; for collective bargaining; for political action; and for the elevation of their conditions of life and labor. A union consists of the employees within a bargaining unit that agree to pay dues for becoming a member of the organization that the employees have chosen to be their representative.

**Q: *Are there different types or levels of union security?***

**A:** Yes, there are six different types of union security provisions - closed shop, union shop, maintenance of membership, agency shop, fair share, and dues checkoff. The general characteristics of each of these forms of union security are as follows:

1. **Closed Shop**. A closed shop provision requires that an employee, as a condition of employment, must become a member of the union prior to being employed and must remain a member. The closed shop was lawful under the National Labor Relations Act as originally enacted in 1935, but since 1947 has been prohibited under the Taft-Hartley Amendments. For all intents and purposes the closed shop is illegal in both the public and private sectors. Closed shop unions established before the Taft-Hartley Amendments were grandfathered in.
2. **Union Shop**. A union shop clause requires that an employee, as a condition of employment, become a member of the union within a stipulated period after being hired or after the effective date of the collective bargaining agreement, whichever is later.
3. **Maintenance of Membership**. A maintenance of membership clause requires that once an employee becomes a member of the union he or she must continue to be a member as a condition of employment. There is no requirement, however, that an employee must initially become a member of the union.
4. **Agency Shop**. An agency shop clause requires that an employee, as a condition of employment, pay an amount equal to the periodic union dues uniformly required as a condition of acquiring or retaining membership.
5. **Fair Share**. A fair share agreement is a variation of the agency shop, which requires that the employee, as a condition of employment, pay a proportionate share of the cost of collective bargaining activities but not the cost of other union activities.
6. **Dues Checkoff**. A dues checkoff clause typically provides that upon union receipt of a written authorization from an employee the employer will deduct the periodic union dues from the employee's pay and remit the same to the union. The dues checkoff is, as a practical matter, a form of union security.

**Q: *What level of union security is AFSCME Local 209?***

**A:** AFSCME Local 209 is currently at a "**dues checkoff**" level of union security.

**Q: *Can AFSCME Local 209 raise their level of union security? If so, How?***

**A:** Yes, but the only way to elevate the level of union security is for the bargaining unit employees to become a member of the union. Then the level of union security must be negotiated with the employer. The greater amount of members a union has increases the chances of raising the level of union security.

**Q: *What benefits can be received with the stronger levels of union securities?***

**A:** Increased bargaining power. Increased representation for employees.

*The "Ask the President" column has been implemented for the purpose of answering questions union members have in regards to labor unions. If you have a question you would like the president to answer in this column, please submit the question in writing by placing it in the mail slot on the entrance doors of the union office, or by giving it to your steward.*