

**[Chieppo: Union case ripples in Mass.](http://www.bostonherald.com/opinion/op_ed/2018/03/chieppo_union_case_ripples_in_mass)**

[**Charles Chieppo**](http://www.bostonherald.com/users/charles_chieppo)

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In a case recently argued before the Supreme Court, an Illinois public employee who chooses not to belong to a union is challenging the “agency fee” he’s required to pay the union to cover the cost of “non-political” activities such as contract negotiations and workplace grievance procedures. If the court sides with Mark Janus, the impact would be minimal in many states, but more significant in Massachusetts.

It’s settled law that public employees who choose not to join a union can’t be required to support union political activities. But in the 1977 Abood case the court ruled that public employees can be required to pay the agency fee.

Unions are apoplectic about Janus because they believe that without the fees, many workers will become “free riders,” enjoying the benefits of representation without paying for it. Absent that revenue, unions fear their clout would dissipate.

Anyone who’s seen my law school transcript knows why I will defer on the legal issues, but the policy and political impact of overturning Abood would vary dramatically from state to state.

In 28 “right-to-work” states, where public employees can’t be compelled to pay fees or membership dues to a union, little would change. In other states in which unions aren’t very strong, overturning Abood could make it more difficult for employees to have a voice in how public bureaucracies are run.

Then there’s Massachusetts. Here, nearly 80 percent of state legislators are Democrats, 17 of the 20 political action committees which give the most to candidates for state and county offices are labor organizations, and over 90 percent of labor’s contributions go to Democrats. The result is a Tammany Hall-like nexus between labor and the Democratic Party that doesn’t serve taxpayers well.

If the court sides with Janus, union leaders who suddenly find themselves needing to *earn* membership dues would likely be more attentive to member opinions, political and otherwise.

As the Supreme Court deliberates over Janus, a group of Massachusetts educators has petitioned the commonwealth’s Supreme Judicial Court to hear a similar case, and the SJC will likely hold off ruling on the petition pending the Supreme Court’s decision.

Few bargaining units can match teachers’ unions when it comes to weighing in on topics far afield from their expertise. And there can be little doubt that a number of members disagree with one or more of their union’s positions on issues like health care, the environment and immigration — not to mention their knee-jerk opposition to charter public schools or testing.

Should the court find in favor of Mark Janus, the main focus of the two Massachusetts teachers’ unions would likely be on staving off potential defections like those of the educators who have petitioned the SJC. That would translate to more attention on pay and working conditions, less on politics.

If the U.S. Supreme Court strikes down compulsory agency fees, the impact of the decision would be uneven across the country. But here in Massachusetts, union leaders who have come to see their clout as a birthright might just get a lot more interested in what matters to their members.

*Charles Chieppo is a senior fellow at Pioneer Institute, a Boston-based think tank.*