

# JCTA cites 'false and misleading assertions'

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*Editor's note: This response to the commentary on this page was submitted after it appeared online.*

The commentary by Jason Nemes included a number of false and misleading assertions about union fair share fees in general and JCTA in particular. Readers deserve to know the rest of the story and the truth.

When a majority of teachers (or other employees) in a school district vote, by secret ballot, to be represented by a labor organization, the union is then required by law to provide services and benefits for all employees in that group, regardless of whether the individual members of that group choose to join the union or not. In 1977, the U.S. Supreme Court unanimously ruled that if a union is required by law to represent an individual, the union can charge the individual his or her "fair share" of the cost of doing so.

The fact that the union is required by law to pay for staff and legal expenses to represent non-members was conveniently omitted from Mr. Nemes op-ed. This caused me to wonder if Mr. Nemes would also support litigation and legislation to require the Kentucky Chamber of Commerce to represent all businesses in Kentucky whether they join the chamber and pay dues or not.

I suspect he would not.

At the conclusion of every school year, members of JCTA have a full month to drop their membership. Mr. Nemes falsely claims this "is not conspicuously advertised;" however, each year, shortly before this drop period, every member is notified directly by email and repeated notices of the upcoming drop period are included prominently in the association's weekly newsletter that goes to all members and is posted for all members online.

Mr. Nemes confuses dues with political action contributions and asserts that JCTA has contributed "almost exclusively to liberals and Democrats," when, in fact, JCTA dues simply are not contributed to partisan political candidates. And the association's separate Better Schools Kentucky political action contributions certainly have not gone almost exclusively to "liberals and Democrats." Rather, these voluntary contributions have been used to advocate for supporters of children and public education in both parties and often in non-partisan races. For example, JCTA has a long history of supporting the moderate Republican I understand Mr. Nemes is running against in the upcoming Republican primary.

Mr. Nemes also offers a very strange definition of what he considers to be political. I believe most people would say that spending money on politics means spending money to try to help certain candidates win elec-

tions. But in view of Mr. Nemes and those advocating for the end of fair share fees, when a union spends money to negotiate for teachers to have access to teaching supplies or adequate time to plan instruction, this is spending money on politics. We will just have to disagree on this one.

Finally, (and I saved the best for last), given that the whole point of Mr. Nemes' op-ed article was to complain about JCTA charging non-members fair share fees for the cost of negotiating and enforcing the contract from which they benefit, Mr. Nemes may be pleased to learn that JCTA does not charge fair share fees. We never have.

**Brent McKim** is president of the Jefferson County Teachers Association.

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