

Your Educator Association Rights

Professional association or union membership is an important decision. You are entitled to make the decision about association membership for yourself with accurate information and without fear of reprisal by a union or employer.

The recent restoration of this right to all public educators in *Janus v. AFSCME* (2018) has led to some confusion, misinterpretation, and misinformation about what impact your membership decision can and cannot have.

This document provides general information and is not intended to offer legal advice about specific situations. If you believe your rights related to abstaining from union membership are being violated, please contact your professional association, a public interest law firm, or an attorney. If you believe your rights related to voluntary union membership are being violated, including discrimination against you by an employer, please contact your union attorney.

- 1 Your employer **cannot discriminate against you** based on your union membership status.
- 2 The terms of the negotiated agreement apply to you **regardless of your union membership status**.
- 3 You have the **right to join** a union.
- 4 You **cannot be required to join** a union.
- 5 Non-members **cannot be required to pay union dues** or fees.
- 6 You have the **right to join a professional association**.
- 7 You have **employment rights** regardless of your union membership status.
- 8 You have the **right to a representative** at a disciplinary meeting.
- 9 The Janus ruling applies to **all public employees in unionized workplaces**, not just agency-fee payers.
- 10 The Janus ruling does not prohibit unions from offering **local-only or contract-only membership categories**.

The contents of this document are based on the Association of American Educators' Declaration of Educator Association Rights. Copyright 2019. The complete version, including an explanation of each right, is available at aaeteachers.org/rights including explanation of each right and listing relevant statutes and case law.

The Teacher Freedom Project is an online resource and community for educators and education staff across the country interested in learning about their rights with respect to union membership. Learn more at teacherfreedom.org.

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