

**ARTICLE 3
UNION SECURITY**

3.1 Check off

ACE shall have the sole and exclusive right to have membership dues, initiation fees, and service fees or other fees as prescribed in its bylaws deducted by the District for workers in the bargaining unit.

3.2 Dues Deduction

3.2.1 The District shall deduct dues from the wages of all workers who are members of ACE on the effective date of this *Agreement*, and who have submitted dues authorization forms to the District. Members shall have at least the minimum monthly dues deducted for any month in which they work in their classification.

3.2.2 The District shall deduct fees and dues from the wages of all workers who, after the ratification date of this *Agreement*, become members of ACE and submit to the District a dues authorization form.

3.3 Service Fee

3.3.1 Every worker in the bargaining unit who is not a member of ACE within 30 days of the effective date of this *Agreement*, and every worker who hereafter comes into the bargaining unit, shall, within 30 days of the effective date of this *Agreement* or within 30 days of his/her employment, whichever is later, either apply for membership and execute an authorization for dues deduction on a form provided by the Union or execute a payroll deduction form authorizing the District to deduct from his/her wages the amount specified by the Union as a service fee. Service fees shall not exceed the cost of membership dues. If a worker fails to authorize a deduction either for dues or for a service fee within the 30 days specified and fails to provide the District with proof that he/she has paid dues or the service fee directly to ACE, the District shall automatically commence a deduction for a service fee from the wages of that worker.

3.3.2 Notwithstanding any other provision of this article, any worker:

3.3.2.1 who has a sincere philosophical objection to contributing funds for worker representation and who has not in the past paid dues or service fees to any worker organization for the purpose of being represented in relations with his/her employer; or

3.3.2.2 who is a member of a bonafide religious body whose traditional tenets or teachings include objections to joining or financially supporting public sector labor organizations, may file an "Objection to Payment of Fees" under Subsection 3.3.3.N.

- 3.3.3 An "Objection to Payment of Fees" shall be filed with ACE and the Director of Human Resources in writing and shall include:
- 3.3.3.1 for workers who qualify under Subsection 3.3.2.1, a statement of the nature of the worker's objection and certification that the worker has not in the past paid dues or service fees to any worker organization for the purpose of being represented in relations with his/her employers; or
 - 3.3.3.2 for workers who qualify under Subsection 3.3.2.2, a statement signed by the worker identifying his/her religious affiliation and explaining the tenet or teaching under which the objection is made. To qualify as a conscientious objector, the worker must submit a notarized statement signed by an official of the bonafide religious affiliation and certifying the person's membership.
- 3.3.4 In lieu of dues or service fees, any worker who qualifies under Subsection 3.3.2 shall pay a charity fee. Such fee shall be equal to the service fee and shall be deducted from the paycheck. It shall be forwarded to one of the three mutually agreed upon charities (Red Cross, Aris Project, Girl Scouts). These charities cannot benefit either the District or the Union and must qualify as 501.c (3) charities. The Union shall be notified quarterly that such payments to the charity have been made.

3.4 **Enforcement**

- 3.4.1 Upon receipt of a properly executed payroll deduction form pursuant to either Section 3.2 or 3.3, the District shall deduct from each salary warrant due the worker in the bargaining unit, an amount determined by the Union. Any changes in amount which are made known to the District on or before the 10th day of the month for which the deduction is to be made, will be charged. The District shall promptly remit the entire amount to ACE. The District shall have no other obligation with respect to the amount deducted pursuant to this article, whether expressed or implied.

3.5 **Voluntary Payroll Deductions**

Dues may not be deducted for any "employee organization" as defined in Government Code Section 3540.1 except for ACE. A worker may elect to have deductions of at least \$2.00 per item made from his/her monthly salary for the following:

- 3.5.1 Payment to tax-deferred annuities.
- 3.5.2 Payment to a credit union.
- 3.5.3 Purchase of government savings bonds.

- 3.5.4 Premiums for insurance sponsored by a professional association or the Union.
- 3.5.5 Contributions to any scholarship fund administered by the District or by the Union.
- 3.5.6 Contributions to a student loan fund or a student assistance fund administered by the District.
- 3.5.7 Contributions to the Foothill-De Anza Foundation.
- 3.5.8 Contributions to United Way. (Contributions to another charitable organization may be arranged providing at least twenty-five District workers agree to authorize deductions.)
- 3.5.9 Such other payments or contributions as may be mutually agreed upon by the District and the Union, provided that 25 or more workers agree to authorize the deduction. (Workers who, on or before July 1, 1986, were deducting less than \$2.00 for a specific item shall be permitted to maintain that deduction under this subsection.)
- 3.5.10 Contributions to the Committee on Political Education (C.O.P.E.) administered by ACE.