

CLIENT NEWS BRIEF

Compulsory Agency Fees for Public Employees Remain Legal Following Supreme Court Split

In a one-sentence decision, an equally divided United States Supreme Court affirmed the Ninth Circuit's ruling in *Friedrichs v. California Teachers Association*, which upheld the right of states to compel public employees who choose not to join unions to pay "agency fees." "Agency fees" are an equal portion of bargaining costs related to wages, benefits and working conditions. The 4-4 split follows the recent death of Justice Antonin Scalia.

Plaintiffs in this California-based lawsuit, including 10 California public school teachers, sought to overturn the Supreme Court's 1977 decision in *Abood v. Detroit Board of Education*, which held that state laws compelling public employees to financially support collective bargaining costs does not violate the First Amendment.

The Supreme Court's decision does not impose any new obligations on public employers with respect to agency fees. Rather, existing agency agreements with employee unions remain legal.

If you have any questions regarding this ruling, please contact one of our [nine offices](#) located statewide. You can also visit our [website](#), follow us on [Facebook](#) or [Twitter](#), or download our [Client News Brief App](#).

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