

Supreme Court Rules against Public Sector Unions



Summary: The Supreme Court ruled 5-4 that public workers could decline paying for union negotiations.

On Wednesday, the Supreme Court ruled that state government workers could opt out of paying for the cost of negotiating union contracts. Union advocates view this as a blow because "unions had said such an outcome would cut off a source of income and diminish their political clout in the 23 states where they bargain for both members and non-members alike," according to [NBC News](#).

Throughout the country, unions represent millions of public employees. The unions negotiate with employers on behalf of workers, but the Supreme Court said in a 5-4 decision that workers who do not agree with union leadership did not have to financially help them, even if the unions end up affecting their work environments.

NBC News said that a study predicted that if public employees were allowed to opt-out of paying union dues that unions could lose up to 726,000 members.

On Wednesday, the Supreme Court said that requiring non-union members to pay union dues violated their right to free expression by forcing people to pay for things they did not agree to. This ruling was a contradiction to one made in 1977 that said non-union employees must pay union dues to cover the cost of collective bargaining, which they may benefit from.

Justice Samuel Alito wrote the majority opinion. He noted that unions have been receiving a "considerable windfall" from "nonconsenting employees" for the past four decades.

"It is hard to estimate how many billions of dollars have been taken from nonmembers and transferred to public-sector unions in violation of the First Amendment. Those unconstitutional exactions cannot be allowed to continue indefinitely," Alito wrote.

Justice Elena Kagan wrote the dissent and stated that the conservative majority had weaponized the First Amendment.

"There is no sugarcoating today's opinion. The majority overthrows a decision entrenched in this Nation's law — and its economic life — for over 40 years," Kagan said. "As a result, it prevents the American people, acting through their state and local officials, from making important choices about workplace governance. And it does so by weaponizing the First Amendment, in a way that unleashes judges, now and in the future, to intervene in economic and regulatory policy."

The Supreme Court currently has four conservative justices, four liberal justices, and one swing vote-- Justice Anthony Kennedy. On Wednesday, Kennedy surprised many by announcing his retirement.

"For a member of the legal profession, it is the highest of honors to serve on this Court," Kennedy wrote in his resignation letter to President Donald Trump. "Please permit me by this letter to express my profound gratitude for having had the privilege to seek in each case how best to know, interpret and defend the Constitution and the laws that must always conform to its mandates and promises."

Kennedy's retirement means that our Republican president will appoint his replacement, most likely cementing the court's conservative slant.

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- [Supreme Court Rules Police Need Warrants to Track Cellphone Locations](#)

What do you think of the Supreme Court's decision? Let us know in the comments below.