Illinois Governor Issues Executive Order Ending Non-Unionized State Workers' "Fair Share" Fees

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On Feb. 9, newly elected Illinois Governor Bruce Rauner issued an executive order ending a requirement that non-unionized state workers pay "fair share" union dues. Governor Rauner estimates that of the 46,573 state workers covered by **collective bargaining**, approximately 6,580 are not unionized, but still pay an average of $577 a year in "fair share" dues. In signing the executive order, Governor Rauner stated that "these forced union dues are a critical cog in the corrupt bargaining that is crushing taxpayers."

A fight is likely brewing between the Republican governor and a coalition of the public unions and the Democratic-led legislature. Democrats hold a supermajority in the legislature, and the executive order could be overridden. The executive order will be battled over in the courts as well, as Governor Rauner has already filed a preemptive federal lawsuit to declare the order legal.

The executive order builds on last summer's U.S. Supreme Court decision in *Harris v. Quinn*. In Harris, the Court ruled 5 to 4 that Illinois home health care workers organized by the Service Employees International Union were not true state employees and could not be required to pay union fees. Governor Rauner wants to extend the Harris holding to all state employees.

At this time, Governor Rauner's executive order impacts only state employees. While it is anticipated that he will ultimately introduce a similar rule for private sector employees, such workers are not included in the current order. The executive order also does not affect those state employees who are voluntarily union members.

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