

## **The Fairness Center**

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### **Pa. Liquor Store Clerk Demands That Union Face Jury Trial Over Fraudulent Misrepresentations** *UFCW Misled Worker into Membership, Blocked his Resignation, Siphoned Money from his Paycheck*

**March 11, 2019, Harrisburg, Pa.** – *Join the union, or lose your job.* That was the ultimatum union officials delivered to John Kabler on his first day as a liquor store clerk. Kabler didn't know it at the time, but that simply wasn't true. Now, two years later, he wants his money back and out of the union, the United Food and Commercial Workers, Local 1776 (UFCW).

*“From my very first day, UFCW provided me with incorrect  
information about union membership.”*

— John Kabler

A year later, Kabler learned the truth: No government employee can be forced to join a union. But when he tried to resign from the union, UFCW officials refused to honor Kabler's resignation. The union continues to take money from his paycheck to this day.

Seeking help from his employer, Kabler called the state human resources department but was told to address the issue with the union. Ironically, he was told to ask for help from the same union official who had misled him into union membership on his first day of work.

Having exhausted other options, Kabler retained the Fairness Center to help him sue his union. His lawsuit challenges the union's illegal closed shop policy, seeks the Court's declaration that the union was wrong to reject his resignation, argues that his constitutional rights have been violated, and seeks relief under Pennsylvania law for the union's fraudulent misrepresentations. Additionally, Kabler is seeking monetary damages, including punitive damages against UFCW.

*“If I went out and tricked someone into giving me thousands of dollars, I'd be in jail.  
The union should be held to the same standard of basic decency.”*

— John Kabler

Kabler's case was filed in the U.S. District Court for the Middle District of Pennsylvania in Harrisburg on March 6, 2019.

#### **Documents:**

- [Backgrounder](#)
- [Complaint](#)

The Fairness Center's President and General Counsel, David Osborne, is available for comment. Contact Conner Drigotas at 844.293.1001 or [cddrigotas@fairnesscenter.org](mailto:cddrigotas@fairnesscenter.org) to schedule an interview.

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*The Fairness Center is a nonprofit public interest law firm offering free legal services to those hurt by public-sector union officials. For more information visit [www.FairnessCenter.org](http://www.FairnessCenter.org).*