

## The Fairness Center

Contact: Conner Drigotas, 207.205.9133, [conner@fairnesscenter.org](mailto:conner@fairnesscenter.org)

### **Vindication for Liquor Store Clerk in Battle Over Membership and Dues**

*Liquor store employee freed from union membership and receives years of back-dues plus interest*

**May 6, 2020, Harrisburg, Pa.**— Pennsylvania liquor store clerk John Kabler Jr., has ended his lawsuit against the United Food and Commercial Workers, Local 1776 (UFCW), after the union gave Mr. Kabler the relief he sought against it in his federal lawsuit.

Mr. Kabler released the following statement after the UFCW capitulated to his demands:

This is a victory for me. After union officials misled me into joining the union, they also denied my resignation, forcing me to pay years of union dues against my will. Because of this lawsuit, I'm out of the union, the union has returned more than \$1,700 in dues and interest, and the union abandoned the contract provision that trapped me and my fellow liquor store employees in membership.

Mr. Kabler's lawsuit, in part, challenged a collective bargaining agreement provision that allowed the UFCW to reject union members' attempts to resign their membership unless they did so within a 15-day "escape window" that only occurred every three or so years. After his lawsuit, the UFCW's contract with the Commonwealth no longer limits the resignation ability of the roughly 3,000 employees of the Pennsylvania Liquor Control Board.

During this lawsuit, a federal judge for the Middle District of Pennsylvania noted in a March 26, 2020 memorandum that the law "would prohibit an employer from forcing non-union members to join a union as a precondition to their accepting public employment," addressing one aspect of the allegations in Mr. Kabler's complaint.

"John took a courageous stand against a powerful union that was determined to force him to pay union dues against his will. We're thrilled that we were able to help John right this wrong and get the relief he was owed," said Nathan McGrath, the Fairness Center's Vice President and Director of Litigation. "John's case is particularly important for spreading the message to public-sector employees that, despite what they may be told by union officials, they do not have to be a union member as a condition of employment with the Commonwealth," continued McGrath.

## Documents

- [Case Website](#)
- [Complaint](#)
- [Legal Background](#)

Fairness Center attorneys are available for comment. Contact Conner Drigotas at 207.205.9133 or [conner@fairnesscenter.org](mailto:conner@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).*