

The Fairness Center

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Public Servant Files Lawsuit Alleging AFSCME Has Violated Her Constitutional Rights

Union officials ignored Elizabeth McKeon's membership resignation and force her to keep paying union dues and PAC contributions

June 22, 2020, Harrisburg, Pa.—Elizabeth McKeon is a clerk typist at the Norristown State Hospital, a longtime public servant who is also a Retired U.S. Coast Guard Certified 200 gross tonnage Master Captain. In July 2019, she resigned from her union, the American Federation of State, County and Municipal Employees, Council 13 (AFSCME). But union officials ignored her resignation and have continued paycheck deductions of not only union dues payments but also political contributions to AFSCME's PAC. Because of this, Ms. McKeon has filed a federal lawsuit to protect her constitutional rights against these union officials' treatment of her.

Ms. McKeon is represented by attorneys at the Fairness Center, a nonprofit public interest law firm that offers free legal help to those hurt by public-sector union officials. Fairness Center President Nathan McGrath released the following statement:

Ms. McKeon jumped through the union's hoops in order to resign from it, but union officials have failed to honor her resignation. Our client's constitutional rights continue to be violated by AFSCME officials as they have taken money from her paycheck against her will, even though the union received her resignation nearly a year ago.

Since the landmark [*Janus v. AFSCME, Council 31*](#) decision by the United States Supreme Court in 2018, nonmember employees cannot be compelled to financially support a union as a condition of employment. The court held that no money can be collected unless an "employee affirmatively consents to pay." But AFSCME has denied Ms. McKeon her *Janus* rights by taking her dues against her will after she resigned her union membership.

This case was filed in the Middle District of Pennsylvania.

Documents

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

Fairness Center attorneys are available for comment. Contact Conner Drigotas at 207.205.9133 or conner@fairnesscenter.org to schedule an interview.

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.