

The Fairness Center

Contact: Conner Drigotas, 207.205.9133, conner@fairnesscenter.org

Public Employee Files Lawsuits in State and Federal Court to Vindicate Her Rights

Employee alleges union officials use unconstitutional membership card and broke their own rules to violate public employee's rights

August 5, 2020, Harrisburg, Pa.—In July 2018, union officials pressured LuAnn Zeigler into signing a union membership card by telling her she'd have the right to vote on the new contract with the Commonwealth if she joined the union. That didn't turn out to be true—and it was just the first, but not the last, time her union, the American Federation of State, County, and Municipal Employees, Council 13 (AFSCME), wasn't completely upfront with her.

Although Ms. Zeigler then became a paying union member, AFSCME officials neglected to contact Ms. Zeigler about the new contract vote less than a year after she joined.

When Ms. Zeigler discovered she'd been denied her right to vote, she resigned from the union. AFSCME officials confirmed that she is no longer a union member but continued having money taken from her paycheck against her will, relying on their membership card to claim they can force Ms. Zeigler to pay nonconsensual fees to the union even though she's not a member.

In response, Ms. Zeigler has filed lawsuits in state and federal court against AFSCME. Through her two lawsuits, Ms. Zeigler is seeking a refund, with interest, of dues improperly deducted from her paychecks, and damages from the breach of contract and other behavior alleged in her complaints. She 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 & General Counsel Nathan McGrath released the following statement:

The Supreme Court in Janus made clear that a union cannot take money from a nonmember public employee's paycheck against their will and without their informed consent. On top of breaking their promises and their own rules about Ms. Zeigler's rights, AFSCME officials clearly failed to collect Ms. Zeigler's affirmative consent for paycheck deductions once she became a nonmember. By continuing to take her money after her resignation and without her consent, union officials are violating her constitutional rights.

These are the seventh and eight [lawsuits](#) filed by the Fairness Center's clients against Pennsylvania AFSCME affiliates in order to vindicate public-sector employees' rights to resign union membership and/or recover union dues seized after their resignation of union membership.

Ms. Zeigler's federal lawsuit was filed in federal court for the Western District of Pennsylvania.

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

Ms. Zeigler's state lawsuit was filed in the Allegheny County Court of Common Pleas.

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

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.