

## **The Fairness Center**

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

### **Two More Public Employees Win Refund from AFSCME After Improper Dues Deductions**

*Union officials ignored employees' membership resignations  
and forced some to keep paying union dues and PAC contributions*

**September 2, 2020, Harrisburg, Pa.**— In the past week, two more public employees secured refunds of union dues they alleged were improperly deducted from their pay by union officials, after they filed separate lawsuits against the American Federation of State, County and Municipal Employees, Council 13 (AFSCME).

Even after they resign from their union, public employees frequently have money taken from their paychecks by union officials, forcing these public servants to subsidize a union after they've chosen to disassociate from it. Litigation is often the only way these employees can recover their money. Elizabeth McKeon and Ralph Rhodes are the latest examples.

Ms. 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. After she filed a [federal lawsuit](#) on June 15, 2020, AFSCME officials settled with her, refunding all her union dues, with interest, back to her resignation, which they had ignored for a year.

Mr. Rhodes, a youth development aide who works improving the lives of at-risk youths, resigned his membership with AFSCME in June 2019. But AFSCME continued having union dues taken from Mr. Rhodes' wages until finally ending the deductions in June 2020. It was not until after Mr. Rhodes sued AFSCME [in federal court](#) that the union then refunded a full year of non-consensual union dues money, with interest, which had been deducted from his wages after his notice of resignation to AFSCME.

These were the fifth and sixth public employees represented by the Fairness Center to bring lawsuits seeking to recover monetary damages and protect their constitutional rights. In the last year alone, the Fairness Center has helped [at least](#) seven former union members secure refunds of dues from AFSCME, after AFSCME refused to stop taking dues from them even after they resigned.

Nathan McGrath, President and General Counsel of the Fairness Center, released the following statement:

“Public employees should not have to jump through excessive hoops and take extreme measures to disentangle themselves from a union they no longer support. Both Ms. McKeon and Mr. Rhodes resigned their memberships but had to file federal lawsuits in order to recoup their money that AFSCME continued to have taken from their paychecks even after they resigned from the union.”

Since the landmark [Janus v. AFSCME, Council 31](#) decision by the United States Supreme Court in 2018, nonmember public employees cannot be compelled to financially support a union as a condition of employment. The Supreme Court held that no money can be collected unless an “employee affirmatively consents to pay.”

Both cases had been filed in the United States District Court for the Middle District of Pennsylvania.

## Documents

McKeon v. AFSCME, Council 13

- [Case Website](#)

Rhodes v. AFSCME, Council 13

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

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).*