



**BACKGROUND
(December 2020)**

Rorabaugh v. SEIU, Local 668, et al.

THE EXECUTIVE SUMMARY

The Fairness Center represents Melanie Rorabaugh, a Commonwealth employee who first resigned from her union, SEIU, Local 668 in January 2020. The union never acknowledged her resignation, which forced Ms. Rorabaugh to resubmit a second resignation letter in June 2020. While Local 668 officials acknowledged her resubmitted resignation, they said they would recognize her as a nonmember only after a 10-day waiting period, and are requiring her to continue paying dues until a union-imposed window to resign in May 2021. Ms. Rorabaugh is an income maintenance casework supervisor for the Department of Human Services, at the Statewide Processing Center in Clearfield County. Although Ms. Rorabaugh decided that she no longer wanted to be a union member or to financially support the union, the Commonwealth and the union continue taking dues from her paycheck. Ms. Rorabaugh brings this lawsuit to vindicate her constitutional rights not to be forced to be associated with or to financially support a union.

THE CASE LOGISTICS

Plaintiff

Melanie Rorabaugh

Defendants

SEIU, Local 668

Michael Newsome, in his official capacity as Secretary of the Office of Administration
Brian T. Lyman, in his official capacities as Chief Accounting Office for the Commonwealth of Pennsylvania and Deputy Secretary for the Office of Comptroller Operations

Court

Federal District Court in the Middle District of Pennsylvania

Judge

TBD

Date Filed

December 30, 2020

THE LEGAL TEAM

Nathan J. McGrath is President & General Counsel at the Fairness Center. Nathan oversees the firm's general operations and litigation to advance the Fairness Center's clients' best interests. Before joining the Fairness Center, Nathan was a staff attorney with a national nonprofit legal services organization, where he developed a national practice focused on constitutional, labor, and administrative law. Nathan began his legal career as an associate attorney with a general practice firm in Pittsburgh, Pennsylvania.

Danielle Acker Susanj is Senior Litigation Counsel at the Fairness Center, representing clients in state and federal courts and before administrative boards. Prior to joining the Fairness Center, she clerked for a federal appellate judge and practiced law as a litigation associate at a large international firm in Washington, D.C., and as a federal litigator in central Pennsylvania.

Justin T. Miller serves as Litigation Counsel at the Fairness Center. His work focuses on representing clients in state and federal courts, and before administrative boards. Prior to joining the Fairness Center, Justin was a prosecutor for the State Attorney's Office in Florida. He was lead counsel in over 80 jury trials and prosecuted a wide array of felony offenses before accepting an assignment to the special victims unit.