

The Fairness Center

Contact: John Sweeney, 609.477.0930, jrsweeney@fairnesscenter.org

New York Public Employee Files Federal Lawsuit to Stop Seizure of Union Dues

*Union officials continue to force Dolly Bernard to pay
union dues despite her resignation from the union*

January 21, 2021, Albany, NY—Dolly Bernard has sued the Public Employees Federation, AFL-CIO (“PEF”) and New York state officials in federal court alleging that they are illegally seizing dues from her paychecks. Ms. Bernard, a New York state employee with the Office of Victim Services, resigned from PEF in August 2020, but union officials have refused to honor her resignation, and continue to have union dues snatched from her paychecks.

The [Fairness Center](#), a nonprofit public interest law firm, has filed the legal action on behalf of Ms. Bernard to protect her constitutional right not to financially support a union. Fairness Center President Nathan McGrath released the following statement:

Ms. Bernard resigned her union membership months ago, but union officials continue to have union dues taken from her paycheck against her will. This violates our client’s constitutional rights of free speech and association. Public employees should not have to file a federal lawsuit just to protect their basic rights.

Since the 2018 landmark [Janus v. AFSCME, Council 31](#) decision by the United States Supreme Court, nonmember public employees cannot be forced to pay money to a union as a condition of employment. The court held that no money can be collected unless nonmembers are aware of and freely waive their constitutional rights and then “affirmatively consent to pay.” PEF has denied Ms. Bernard her [Janus](#) rights by taking dues after she resigned her union membership and without her affirmative consent.

This case was filed in the Federal District Court in the Northern District of New York.

Documents

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

Fairness Center attorneys are available for comment. Contact John Sweeney at 609.477.0930 or jrsweeney@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