

## **The Fairness Center**

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### **Syracuse Community Service Officer Files Federal Civil Rights Lawsuit Against Her Union**

*Amber Welch wants to be free to choose who represents her in collective bargaining*

**June 22, 2021, Syracuse, NY** – Public employees have the right not to be union members if they so choose. At least, they’re supposed to. But it took multiple resignation attempts before Amber Welch, a Syracuse Community Service Officer, eventually got out of her union, The Civil Service Employees Association, Inc., Local 1000 (“CSEA”). And even as a nonmember, she still has to accept the union as her exclusive representative for collective bargaining.

Ms. Welch resigned from the union in September 2020, but had to send several letters before the City finally stopped taking dues from her paychecks and CSEA officials recognized her as a nonmember. And, in response to Ms. Welch’s resignation letters, CSEA officials threatened that the union would not represent her in a variety of proceedings related to her employment if she left the union.

Under New York law, Ms. Welch cannot choose another representative, or represent herself, in collective bargaining. Yet state law limits the duties that public-sector unions owe to nonmembers they represent, so Ms. Welch could have fewer guaranteed legal protections for how the union must treat her as a nonmember.

As a result, Ms. Welch has filed a federal civil rights lawsuit against her union and the City of Syracuse to vindicate her constitutional rights not to associate with or support a union against her will. 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 Nathan McGrath released the following statement:

“Ms. Welch has the right not to be compelled to associate with a union. But she is being forced to accept a union as her exclusive representative for collective bargaining. As if that wasn’t bad enough, she is being threatened with second-class representation by the very union she must accept as her representative when it comes to negotiating her terms and conditions of employment. She should be free to decide who speaks and bargains on her behalf.”

This case was filed in the United States District Court, Northern District of New York.

#### **Documents**

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

Fairness Center attorneys are available for comment. Contact John Sweeney at 609.477.0930, or [jrsweeney@fairnesscenter.org](mailto:jrsweeney@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)*