

**Summary of Dues Deduction for Public Sector Education Employees by State  
(Source: NEA Collective Bargaining Laws Manual State Summaries,  
as of Nov. 30, 2011)**

Based on our review, only three states prohibit dues deductions outright for employee organizations: Alabama, Mississippi and Tennessee (Tennessee permits payroll deductions for state employees under certain circumstances). Note that some states do not contain a specific provision, but probably permit dues deduction as a result of past practice (for instance, Pennsylvania). Several others permit due deductions under limited conditions. See the chart below for further details.

In general, the benefits of dues deductions are:

- Automatic deduction is a convenience for employees.
- The cost to the district is negligible because school business offices already deduct other items, such as voluntary contributions to retirement plans or to the United Way.
- To maintain workplace tranquility, the district and the union share a common interest in making the process of collecting all union dues as friction-free as possible.

<b>State</b>	<b>Due Deduction Permitted</b>	<b>Notes</b>
AL	No	2010 law prohibits dues deductions from public employee paychecks if the dues go to organizations that engage in “political activities.” Legal challenge by AEA is pending.
AK	Yes	
AZ	Yes	S.B. 1365, enacted in 2011, requires organizations collecting funds through payroll deductions to affirm that none of their general fund is used for “political purposes,” or specify the percentage of their fund so used. Certain public safety unions are excepted. A federal judge issued an injunction against the law on First Amendment grounds. The lawsuit is ongoing; meanwhile,

		deductions are permitted.
AR	Yes	
CA	Yes	
CO	Yes	
CT	Yes	
DE	Yes	
DC	Yes	
FL	Yes	
GA	Yes	
HI	Yes	
ID	Yes	In 2003, the Idaho legislature passed the Voluntary Contributions Act (“VCA”), which amended this payroll deduction statute to prohibit payroll deductions for “political activities,” including union dues deductions for political activities. The state successfully defended this policy to the United States Supreme Court in <u>Ysursa v. Pocatello Educ. Ass'n</u> , 555 U.S. 353, 129 S.Ct. 1093 (2009).
IL	Yes	
IN	Yes	
IA	Yes	
KS	Yes. K-12 Mandatory issue of bargaining	
KY	No collective bargaining statute exists. No other statute or case law provides for or against.	
LA	Yes	Provided a minimum number of people request such a deduction
ME	No specific provision	
MD	Yes	An employee organization that calls a strike will lose payroll deductions for one year.
MA	Yes	
MI	No specific reference	
MN	Yes	
MS	No	Payroll deductions are unlawful.
MO	No specific provision.	
MT	Yes	
NE	Yes	K-12
NV	Yes. K-12 Mandatory issue of	

	bargaining	
NH	No specific provision	
NJ	Yes	
NM	Yes. K-12 and Higher Ed - Mandatory issue of bargaining	
NY	Yes	
NC	Yes	Payroll deductions of voluntary dues and contributions to a school employee association with at least 40,000 members, the majority of whom are public school teachers, are allowed so long as the association does not engage in collective bargaining. N.C. Gen. Stat. § 143B-426.40A(g) (2006).
ND	Yes	School board must implement payroll deductions to pay the membership dues of teachers who sign a petition requesting such action.
OH	Yes	
OK	Yes	Requests from employees must be to be valid for a 10 month period.
OR	Yes	
PA	Yes	
RI	K-12: No specific provision.  State (including higher ed employees): Yes	
SC	Limited	Payroll deductions are permissible for public employees to make contributions to certain charitable organizations designated by the state. S.C. Code §§ 8-11-83 – 92 (2001).
SD	No specific provision	
TN	Yes. Mandatory subject of “collaborative conferencing.”	Deductions for “political activities” prohibited.
TX	Yes, with conditions	School district employees are entitled to pay their dues through payroll deductions upon filing a written request for same and further specifying that the district may charge an

		administrative fee for making the deduction
UT	Yes	Payroll deductions for union dues are permitted (so long as they do not exceed 3% of wages per month) on written authorization by individual employees. Utah Code Ann. § 34-32-1(2)(a). Under the Voluntary Contributions Act, as amended by the Voluntary Contributions Act Amendments (“VCA”), labor organizations—including public-sector unions—are prohibited from requiring, as a condition of membership, “any contribution to a candidate, personal campaign committee, political action committee, political issues committee, registered political party, ballot proposition, or political fund.” Utah Code Ann. § 20A-11-1403. Under another provision of the VCA, labor organizations are prohibited from using union dues for “political purposes” or from transferring union dues to a political fund. Utah Code Ann. § 20A-11-1404(b). The term “political purposes” is defined as “an act done with the intent to influence or in a way to influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote for or against” any candidate for State office or any ballot measure. Utah Code Ann. § 20A-11-1402(d).
VT	Yes. Parties may negotiate over payroll deductions	
VA	No specific provision	
WA	Yes	
WV	Yes	
WI	No	A municipal employer may not

		deduct labor organization dues from the earnings of "general municipal employees," including teachers.
WY	No specific provision	