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Resist The Trump Attack On Unions Following Confirmation Of Gorsuch: A Call For Mass Mobilization And Internal Revitalization Of NYSUT Locals

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Whereas, on April 7, 2017, the United States Senate, after a rules changed voted in by the Republican majority, confirmed President Donald Trump's Supreme Court nominee Neil Gorsuch, an extremist conservative judge whose record suggests that he will rule in favor of corporations and against unions and workers; and

Whereas, on February 6, 2017, the Center for Individual Rights, the anti-union law firm that recruited teachers to be plaintiffs in the Friedrichs v. CTA case, filed a new case, Yohn v. California Teachers Association, calling for the State of California to overrule settled law and invalidate state statutes that allow public-sector unions to collect fair share agency fees for representing nonmembers in their bargaining units;

Whereas, the death of Justice Antonin Scalia in February 2016 left the Supreme Court equally divided in Friedrichs, therefore affirming the decision of the Ninth Circuit Court of Appeals recognizing that settled law allowed public-sector unions to collect fair share agency fees; and

Whereas, the anti-union National Right to Work Foundation and Liberty Justice Center backed a group of Illinois public employees to bring the case Janus v. AFSCME, also calling for the invalidation of the collection of fair share fees by public sector unions; and

Whereas, Janus is moving quickly through the federal court system and is expected to be considered by the Supreme Court in the October 2017 term, with a decision invalidating the collection of fair share fees expected to be delivered by June 2018; and

Whereas, teachers' unions have been a particular target of anti-union lawsuits because teachers' unions are among the strongest force in organized labor and K-12 education has the highest union density of any employment sector; and

Whereas, the loss of unions' ability to collect fair share fees is designed to deliver a crippling blow to the labor movement and to public-sector unions in particular—because organized labor, strongest in the public sector, is still the largest organized movement in the United States with the power to resist the Trump agenda of increasing economic inequality, racism, misogyny, bigotry and anti-immigrant hatred; and

Whereas, the mass public campaigns mounted by supporters of other progressive legal decisions—for example, the right to

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marriage equality—have demonstrated the power of mass action to support breakthroughs in judicial thought; and the international mobilizations since the Trump election have demonstrated a potential for mass resistance; therefore be it

RESOLVED, that NYSUT launch a strong campaign to educate and mobilize its members and the public about the far-right’s heinous attack on the unions representing workers who provide public services; and

RESOLVED, that NYSUT call on its two national affiliates, the AFT and the NEA, and on the AFL-CIO, to conduct a mass public campaign in support of a fair decision on union dues and fees; and

RESOLVED, that NYSUT call on its member locals to approach the Janus decision as an imperative to revitalize their unions from the ground up, urging locals to conduct internal campaigns to increase union membership and enlist current members to make a public commitment to remain dues-paying union members—even in the event of a negative decision on Janus—so that all NYSUT locals emerge from this year with deepened member adhesion and greater capacity to advocate collectively for the public good.