

Fair Share

Frequently Asked Questions

1. What is Fair Share?

“Fair share” refers to a system under which employees who are represented by a union, but are not members of the union, pay a fee to help bear the cost of representation germane to collective bargaining.

2. What are Fair Share fees used for?

The fair share fee represents costs to the Utica College Chapter of American Association of University Professors (AAUP-UC) and its state and national affiliates that are germane to the Chapter’s legal duties to represent you as a member of this collective bargaining unit. These expenses are referred to as “chargeable” and include costs such as:

- Negotiating the contract.
- Representing bargaining unit members in grievance cases and hearings.
- Preparations and research for contract negotiations.
- Contract printing expenses.
- Handling work-related problems of employees, including advice and analysis of potential grievance cases.
- Meetings, conferences, and arbitration proceedings concerning work-related issues.
- Activities related to working conditions, benefits, and contract rights available to everyone represented.
- Attendance at training sessions related to collective bargaining.
- Attendance at national and state AAUP meetings, including AAUP-CBC meetings and summer institutes.
- Government agency, labor board, or regulatory matters that are related to collective bargaining, contract enforcement, grievance handling, or union administration.
- Legal expenses that are related to collective bargaining, contract enforcement, grievance handling, or union administration.
- Payments made to state and national affiliates that are used at those levels for chargeable activities.
- Insurance and taxes.

3. Whom does the AAUP-UC represent?

Full-time tenured and tenure-track faculty and full-time non-tenure eligible faculty, librarians, and HEOP counselors. That means you. It is the Chapter’s legal duty to represent all members in the bargaining unit for the purposes of collective bargaining, regardless of AAUP-UC membership status. As an AAUP Chapter, it is also part of our mission to advocate for the workplace rights of all bargaining unit members and for the best interests of the represented faculty and professionals at Utica College.

4. What is the difference between AAUP-UC membership status and Fair Share fee status?

Only members in good standing of the AAUP-UC are entitled to vote for AAUP-UC officers, seek AAUP-UC office, serve on AAUP-UC committees, participate in establishing AAUP-UC priorities for collective bargaining, and vote on important issues at AAUP-UC membership meetings, including ratification of the collective bargaining agreement. Fair Share Fee Payers are not members of the AAUP-UC and forego the aforementioned rights.

5. Are Fair Share Fees used to pay for political activities?

No. Fair share fees cannot be used to pay for “non-chargeable” activities. Those activities include:

- Political activity not germane to collective bargaining.
- Endorsements of or donations to political candidates.
- Advocacy of or donations to international causes.
- Advocacy of political causes not germane to collective bargaining.
- Members-only benefits.
- Charitable donations.
- The portion of administrative costs, publication costs, affiliation fees, and staff costs not directly related to chargeable activities.

6. Is a bargaining unit member required to become a member of the AAUP-UC?

No. You have the right not to join the union, even though the AAUP-UC negotiates on behalf of and represents everyone in the bargaining unit. As a Fair Share Fee Payer, you are paying only for the costs germane to collective bargaining.

7. Why does Fair Share matter to all Utica College faculty, librarians and HEOP counselors?

Maintaining a strong Chapter serves everyone’s interests. With fair share in place, the Chapter will have sufficient resources to arbitrate any legitimate and unresolved grievances; to further train negotiators and board members; to properly fund the work of the Chapter’s committees; to seek legal advice or take any needed legal actions; and to most effectively negotiate the next collective bargaining agreement.

8. How is the Fair Share fee rate determined?

Each year, the fair share fee rate is set according to the report of an independent auditing firm. D’Arcangelo & Co., LLP has analyzed the expenditures of the AAUP-UC for the past fiscal year. You have the right to file a challenge to this calculation in writing to the AAUP-UC President at our mailing address (AAUP-UC, 1600 Burrstone Road, Utica, NY, 13502). If you make such a written challenge, further information will be provided to you.

9. How much are Fair Share fees?

The current fair share fee rate is 0.7791 percent of base salary. The current AAUP-UC membership dues rate is 1.00 percent of base salary. The fair share fee rate represents

the proportion of AAUP-UC expenditures during the last fiscal year which were categorized as chargeable.

10. Does the Fair Share fee rate change each year?

Each year's audit analyzes the Chapter's activities (and those of the state and national level AAUP) for the previous year. Because activities vary from year to year, so does the fair share fee rate.

11. Are Fair Share fees or AAUP-UC Membership dues tax deductible?

In some cases, a portion of membership dues or fair share fees may be tax deductible. Please consult your tax advisor for more information.

12. Why join the AAUP-UC now?

Your membership means a stronger group of faculty, librarians and HEOP counselors and a stronger voice at Utica College. You will have the right to attend union meetings, run and vote for union office, vote to ratify the contract, and fully participate in internal union affairs.
