

Testimony of Douglas Ley In Opposition to Senate Bill 11

I am president of AFT-NH, representing 4000 teachers, para-educators, school support staff, town and municipal employees, police officers and first responders. As such, I have been asked to present letters from a number of our local presidents regarding this proposed legislation and ask that you read these with care and consideration. I have letters from the Presidents of the [Hillsboro-Deering Federation of Teachers](#), [Hudson Federation of Teachers](#), [Newfound Teachers' Union](#) and [Timberlane Teachers' Association](#).

My own testimony shall be brief, to the point, and is rooted in my long-standing public opposition to so-called 'right to work' legislation as well as my membership in a private sector union local with agency fee. Within that local at Franklin Pierce University, over 90% of bargaining unit employees are full members of the union. One full-time employee and a small number of part-time employees opt for the lower agency fee or a third option provided within our contract, 'charitable contribution.'

Our 'agency fee' is really a 'recovery cost payment,' which helps defray the cost of negotiation and the enforcement of our contract. We have a good relationship with our employer, but nevertheless, there are constant questions of contract interpretation as well as various personnel issues which arise each year, all of which require investments of time and resources to resolve, whether it be through local activity, working with our state federation, or even calling upon the resources of our national offices. Like us, our employer also incurs costs to negotiate and enforce our collective bargaining agreement. They recover their costs by incorporating them into the operating expenses of the University, charged against students and others using the University. All we ask is the continued ability to act in similar but more limited fashion, to have employees who benefit from the collective bargaining agreement contribute to defraying the costs of negotiation and implementation.

I have worked at FPU for 26 years, and during that entire span there has been an "agency fee" option. In keeping with Federal and NH statutes, no one is required to join the union, but all must contribute in some form as mandated by our collective bargaining agreement. In twenty-six years, I know of no individual who declined employment due to this requirement, and as stated earlier, virtually every eligible employee has joined the union. Management agreed to this provision many, many years ago and has never brought forward a proposal in negotiation to eliminate agency fee. Similarly, in my experience working for AFT-NH, I can state that approximately half of our locals have agency fee, and no employer has ever proposed eliminating it. It is a provision freely agreed to by the two signatory parties to a contract, and the contract is then duly ratified via democratic process by employees in the bargaining unit and the governing body of the public employer after approval by the legislative body. Therefore, it is an excellent illustration of local flexibility and local control, long-standing NH traditions. To pass this legislation will only further inject the State into what is a localized and in many cases, private relationship and process, setting the stage for possible further restrictions upon employers and the bargaining agents of employees.

In sum, "right to work" interferes with the freedom to negotiate and engage in collective bargaining and resolves a problem which does not exist. Statute already prohibits requiring union membership as a condition of employment, and every potential employee already has the right to decide to accept a job, with all the conditions and requirements laid out by the employer, which in this case, could include support for maintaining the mutually-agreed-upon collective bargaining agreement. I respectfully ask that this Committee honor that freedom and local control, by rejecting so-called "right to work" legislation.