

Statement of  
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I am one of 6 plaintiffs in a class action suit filed September 22 in U.S. District Court by the National Right To Work Legal Foundation against both the California Faculty Association (CFA) which represents 20,000+ faculty in the California State University and the California Teachers Association (CTA) which represents 330,000+ K-12 teachers.

The lawsuit was precipitated by both unions increasing their dues (\$60 per year by CTA, 10% by CFA) to fight Propositions 74, 75 and 76 which will appear on the November Ballot.

I have been teaching at California State University EastBay (formerly California State University Hayward) since 1978 and never have been a member of CFA. However, I am currently assessed fees equal to 70% of full union dues to cover collective bargaining and grievance procedure costs but specifically excluding the cost of all political activities by the union. This figure of 70% was determined by an arbitrator *before* the 10 percent dues increase. It seems to me self-evident that I and the roughly 50% of all California State University faculty who do not belong to the union should be exempt from this fee increase.

Of course, at the time of the unionization election in the 1980's CFA promised never to impose a so-called "agency shop," characterizing forced dues as contrary to the spirit of collegiality in higher education. This was the primary reason that many professors voted for CFA rather than a rival union affiliated with the AFL-CIO.

But when the later-deposed Governor Grey Davis was elected, one of his first acts was to pay off the union officials who got him elected. He did this by signing a forced union dues bill taking away a right that had been enjoyed by all CSU faculty – and tens of thousands of other public employees – to refrain from supporting financially an unwanted union. And this right was taken away without either a vote of those affected or even through the collective bargaining process.

Now faced with a political battle with Governor Schwarzenegger this November, both CFA and CTA have raised our dues to fund their political electioneering and attack ads. They categorically admit that this is the reason for their dues increase (while CFA has not secured a salary increase for professors for the last three years). In fact, in the September 2005 issue of *neatoday* on page 19 under the headline "CTA Battles Terminator" we find the following statement "Raising the ante in their fight against

Governor Arnold Schwarzenegger... the California Teachers Association... raise(d) dues by \$60 a year for up to three years."

Under the *Aboud* and *Hudson* U.S. Supreme Court decisions – won by National Right to Work Foundation attorneys – union officials have no right to collect money from professors such as myself to fund their political objectives, objectives that I happen to strongly disagree with. But under the mandatory dues increase, my forced dues also went up by approximately \$70 per year.

Moreover, while they might allow me to obtain a refund of these monies one or two years from now, that will not prevent this money being used now. And an election cannot be undone.

That's why I am seeking relief *now* from the courts; the lawyers for the National Right to Work Legal Foundation are filing a motion on September 28th for an injunction against the dues increase. My First Amendment rights are being violated every single day by CFA officials. They do not speak for me – how dare they spend my money to promote their political agenda.