

Summary of Hamidi v. SEIU

**CPPEA's Ken Hamidi, on behalf of State Employees, Union Non-members,
Filed a Class Action Lawsuit Against SEIU Local 1000
In US District Court For The Eastern District Of California.**

This lawsuit would force SEIU Local 1000 to stop requiring Union nonmembers to file for the Non-Germane Objector annually.

Hamidi v. SEIU Local 1000, Case # 2:14-at-00129, Filed On 01/31/14

- On **January 31, 2014**, with the help of National Right to Work Foundation staff attorneys, Ken Hamidi and thirteen other state employees filed a lawsuit in the U.S. District Court against the SEIU Local 1000.
- On **May 18, 2015**, Judge William Shubb presided over a court hearing for certification of Hamidi vs. SEIU as a Class Action Lawsuit.
- On **May 22, 2015**, Judge William Shubb issued his order and certified Hamidi vs. SEIU as a Class Action Lawsuit, which means that a class of an estimated 42,000 nonmember fee payers represented by SEIU Local 1000, are now class members of Hamidi vs. SEIU.

The lawsuit challenges SEIU's abusive policy of requiring nonmember fee payers to annually opt out of paying for SEIU Local 1000 expenditures not related to collective bargaining, which is generally known as "Non Germane Objector" (NGO) status.

Although nonmember fee payers have the right to opt out of paying for expenditures unrelated to collective bargaining, such as union political activism, and ideological campaigns, SEIU Local 1000 requires nonmembers to file for NGO status annually in June. The lawsuit seeks to shift that burden from nonmembers, whose paychecks and rights are at stake, to union officials, who would then be required to seek each nonmember fee payers' authorization before collecting full Fair Share Fees.

The lawsuit notes that SEIU Local 1000's current abusive policy – which requires nonmembers to file for the NGO status every year – effectively rigs the game in favor of the union. Although SEIU is supposed to send notices, before the end of May every year, informing nonmembers of their rights to file NGO forms in June, many nonmembers have never received such notices. Others were only notified by SEIU after the union-designated one month (June) time period for objecting to the payment of full dues had already expired.

SEIU also purposely creates other obstacles by changing the requirements every year in order to make the process of opting out for nonmember fee payers cumbersome, and for some nonmembers, they make it impossible to opt out, as SEIU's own attorney said during the oral argument in the court:

"Every year 21,000 Nonmembers do not get to file for the NGO"

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