

## **Beck Notice**

The Hawaii Nurses and Healthcare Professionals has negotiated a collective bargaining agreement with your employer which covers your wages, hours and other terms and conditions of your job. This agreement contains a union security clause that requires all covered employees, including yourself, after the 31st day of employment, to become and remain members of the union and pay union dues and fees as a condition of continued employment.

The officers, representatives and members of your union encourage you to become and remain an active member of the union. As a member, you have all the benefits and privileges of membership. Such benefits and privileges include the right to participate fully in the internal activities of the union. Only members can attend and participate in membership meetings and help to develop the contract proposals for the collective bargaining agreement that covers your wages, benefits and working conditions, as well as participate in contract ratification and strike votes. Union members can vote to set or raise dues and fees. Union members can nominate, and elect officers of the union, and only members can run for union office. Solidarity with the union will result in greater bargaining strength in contract negotiations, providing you and all of us with better wages, fringe benefits and working conditions.

We believe that it is in your best interests to become and to remain a full dues paying member of this union. However, your obligation under the contract's union security clause is limited to the payment of uniform dues and fees. If you choose not to join the union or choose to resign your current union membership, you will be required to pay after notice to the Union, as a condition of employment, a service fee that represents expenditures only for chargeable activities.

The service fee has been calculated based on the union's expenditures for chargeable activities. The amount of the service fee was determined by a review of the union's financial statement. Those expenditures that are chargeable and non-chargeable were identified pursuant to criteria approved by the courts.

Some examples of expenditures germane to the collective bargaining process for which objectors may be charged are those made for the negotiation, enforcement and administration of collective bargaining agreements; meetings with employers and union representatives; meetings with employees on employment related matters; proceedings on behalf of workers under the grievance procedure, including arbitration, internal union administration and management; and other relevant activities, including litigation, that affect the terms and conditions of your employment. Other chargeable expenditures include the operating and administrative expenses of the union, membership meetings and conventions, and social activities open to all represented employees. The service fee does not include any expenditures not related to the Union's collective bargaining activities or administration. The union has determined the service fee to be 99.99% of the regular dues for members. Again, please note that dues and fees can be changed only by members. If you choose not to join the union or choose to resign your current union membership, you will have no say in setting the amount for dues and fees.

If you are not a member of this union and you object to paying dues and fees equal to the amount customarily paid by union members, you must notify the union by sending a letter of objection to

the union's Treasurer at [membership@hnhp.org](mailto:membership@hnhp.org). The letter of objection must also include your full name, mailing address and the unit you work in. Upon receipt of your letter of objection, the union will request the company to deduct the service fee from your paycheck, if you sign the appropriate service fee deduction form. If the union does not receive a letter of objection, we will presume that you have no objection to being charged the full membership dues and fees.

If the union receives a timely filed objection to the amount of the service fee, the union's Treasurer will provide the objecting employee a summary of major categories of expenditures showing how the fair share fee was calculated. Upon receiving the notice of the calculation of chargeable expenditures, an objecting individual has 30 days to file a challenge, in writing, with the union's Treasurer at [membership@hnhp.org](mailto:membership@hnhp.org), if you have reason to believe that the calculation of chargeable expenditures is incorrect. The union then will place the amount that is reasonably in dispute into an interest-bearing escrow account.

An independent appeal procedure will be established with the American Arbitration Association, pursuant to its Rules for Impartial Determination of Union Fees, to resolve challenges to the calculation of the service fee. A neutral arbitrator will be selected by the American Arbitration Association to hear the challenge. The arbitrator will have the authority to determine the service fee and order any adjustments to the service fee and refunds, if appropriate, to the challenging employees or to the union, from the interest-bearing escrow account, which the arbitrator determines are warranted. The arbitrator's decision will be final and binding.

All challenges to the service fee amount will be consolidated for a single hearing, which will be held once a year. Each employee filing a challenge must pay his or her own expenses relating to the hearing, including representation, if any, and attendance. If a hearing is held, a verbatim transcript of the hearing will be provided. The challenger(s) may obtain a copy of the transcript at their own expense. A service fee payer who files a challenge will have the right to inspect, at the union's office, any of the financial records that formed the basis for the union's calculation of the service fee. The employee filing the challenge will receive a copy of the rules of the American Arbitration Association, as well as be informed of the date and location of the hearing, or the date by which the objector must submit his or her position statement.

We again urge you to exercise your protected, legal right to join or remain with your fellow workers as a full and active member of your union. If you are not yet a member of the union, request and fill out the membership application card. If you wish to remain a member of your union, you don't need to do anything.

If, however, you believe that your employer is anxious to weaken your union, or if you believe that a single individual, all by him or herself, can change the company's decent wages and benefits and job protection, then you may want to abandon your fellow workers and the union. This may be your legal right, but we believe that it is neither your moral obligation nor common sense. Before choosing service fee payer status over full member status, read this notice carefully and be aware of the benefits of union membership that you would be giving up. If you do choose to change your membership status, you must notify the union in writing.

If you have any questions, please call the union office.