Essex County College Chapter United Adjunct Faculty of New Jersey Local 2222

Refund Procedures.

Any employee making union dues payments to the ECCCUAF under the agency shop provision in the union’s collective bargaining agreement covering such employee has the right to object to the expenditure of any part of the agency fee which represents the employee’s pro rata share of expenditures by the union in aid of activities or causes of a political or ideological nature only incidentally related to terms and conditions of employment. Notification of any objection for the 2011-2012 fiscal year must be made by letter and sent to Lynne Peterson-Cummins between June 30 and July 30 of this year. Any employee who is newly employed at any time during the union’s 2011-2012 fiscal year must send notification, in the manner described above, within thirty (30) calendar days of receipt of his/her first payroll check from which agency fee deductions are made.

The union dues for all members who have notified the ECCCUAF of their objections as described above shall be reimbursed for the 2011-2012 fiscal year by the approximate pro rata portion of the union dues spent by the union in aid of activities or causes of a political or ideological nature only incidentally related to terms and conditions of employment, based on the latest fiscal year for which there is a completed and audited financial statement.

Prior to the start of the 2011-2012 school year, each objector shall be provided with an advance payment equal to the amount of the reduction, together with an explanation as to how such advance reduction was calculated. The balance of the objector’s dues payments during the 2011-2012 fiscal year shall be held in an account until a final refund determination is made and any appeal by the object tor is finally determined after a hearing.

After the close of the union’s fiscal year, as soon as available, the ECCCUAF will provide each objector a copy of its audited financial statements and a final refund determination and payment, if any, representing the approximate pro rata portion actually spent by the ECCCUAF during the fiscal year in aid of activities or causes of a political or ideological nature only incidentally related to terms and conditions of employment. If the determination is an amount greater than the advance reduction payment, the difference, with interest at the statutory rate, shall be promptly transmitted to each objector.

If an objector is dissatisfied with the union’s final refund determination, an appeal may be made within thirty (30) days of receipt of the refund determination by sending a letter, by mail, to the ECCCUAF president. Although the union retains the burden of proof, for purposes of issue identification at the hearing, the objector in his/her letter of appeal must indicate the percent of dues which he/she believes is reasonably in dispute and the general categories of expenditures which are being challenged. All appeals from the final refund determination will thereafter be submitted for expeditious hearing and determination to a neutral person. The ECCCUAF, at its option, may consolidate all appeals and have them resolved at one hearing. An objector may present his/her appeal to the neutral person. Any costs shall be borne by the ECCCUAF.