

**I.B.E.W. LOCAL UNION 48**  
**AGENCY FEE PAYERS OBJECTION PLAN**

1. Any employee who is not a member of the IBEW and who pays agency fees to IBEW Local Union 48 pursuant to the union security provision in the Local's collective bargaining agreement has the right to object to expenditures of his or her fees for activities which are not reasonably related to collective bargaining or to internal union governance and administration. For purposes of the Plan, such activities will be referred to as "non-chargeable activities." The agency fees paid by a fee payer who perfects an objection under the procedures set forth below will be reduced by an amount reflecting the portion of the local union's overall expenditures that are used for non-chargeable activities.
2. Agency fees are composed of a portion forwarded to the International Office as monthly per capita payments and a portion retained by the Local Union. As explained in greater detail below, an objector who requests a reduction under the terms of this Plan will receive appropriate reductions in both portions of his or her fees. To register for a reduction, however, the objector need only file one request, with the International Office, as specified in Paragraph Three.
3. Each fee payer who wishes to file an objection must do so in writing, addressed to the International Secretary-Treasurer (I.S.T.) at the International Office of the IBEW, 900 7<sup>th</sup> Street, NW, Washington, D.C. 20001. The International Secretary-Treasurer will forward all timely objections to the local union. In registering their objections, objectors must include their name, address and Social Security Number, the Local Union to which they pay fees, and their non-member identification number, if known. Objections must be postmarked during the first thirty days (30) after the employee becomes an agency fee payer (either by being hired or transferred into the bargaining unit or by resigning from union membership) and becomes obligated to pay agency fees to the local union as required by a collective bargaining agreement or, for non-members currently in the bargaining unit, during the month of November. (The open period may be extended in Convention years.) Objections will be effective for as long as the objector is in the local's bargaining unit.
4. An annual notice of the procedure for filing objections will be published in the October issue of *The Electrical Worker*. The local union will also provide notice to agency fee payers who join the bargaining unit during the year.
5. Before the beginning of the calendar year, pursuant to the procedure set forth in the IBEW Agency Fee Payers Objection Plan, the International Secretary-Treasurer will calculate the percentage of the International Office's total expenditures for the preceding fiscal year that was made on non-chargeable activities. A comparison of the local's calculations and the International's in a single year shows that the local union spends a lower percentage of its overall expenditures on non-chargeable expenditures. It will therefore presume that by using the International's percentage, the local will fully protect the objectors' rights, and the financial secretary will compute the reduction to which the objectors are entitled by applying the International Office's percentage to the local union's portion of the agency fees. The financial secretary will then notify each objector of the reduced monthly payments they will be required to remit during the year, along with an explanation of how the amount was determined and of the appeal procedure.
6. The objector's monthly payment will be the total of (a) the reduced local portion of the fee plus (b) the full per capita amount that is owed to the International Office. The International Office will reduce its portion of the fees by providing a lump-sum payment at the beginning of the year. That is, by no later than January 31 (or as soon as possible in the case of timely mid-year objections), the International Secretary-Treasurer will mail a check to each individual who perfects a timely objection, reflecting the reduction in per capita to which the objector is entitled for the calendar year. With the check, the International Secretary-Treasurer will provide an explanation of how the reduction was determined.
7. The financial secretary will mail each objector a reduction check, accompanied by an explanation of how the amount was determined and an explanation of the appeal procedure.
8. An objector who disagrees with the proportional allocation made by the local union, in the belief that it does not accurately reflect the local union's expenditures on chargeable activities, may appeal the local's determination to an impartial arbitrator appointed by the American Arbitration Association (AAA) through its Rules for Impartial Determination of Union Fees, issued on June 1, 1986.
  - a. The appeal must be made in writing and must be received in the office of the financial secretary within thirty (30) days of the date on which the financial secretary mailed the reduction check to the objector. The appeal should explain the basis of the objector's challenge.
  - b. While the appeal is pending, the local union will hold in escrow a portion of the fees paid by all objectors who received a reduction from the local, in an amount sufficient to insure the portion of the fee that is reasonably in dispute will not be expended during the appeal procedure. In the event the impartial arbitrator determines that objectors are entitled to a greater reduction in their fee payments than that which they received from the local, additional checks will be issued by the financial secretary at the close of the appeal procedure to all of the local's objectors for the balance of the reduction due, as determined by the arbitrator.
  - c. All such appeals will be consolidated and heard as soon as the arbitration can be scheduled. The presentation to the arbitrator will either be in writing, or at a hearing if requested by an objector(s). If a hearing is held, any objector who does not wish to attend may submit his or her views in writing by the date of the hearing. If a hearing is not requested, the arbitrator will set a date by which all written submissions will be received, and will decide the case based on the records submitted. The local union will bear the burden of justifying the amount its calculations.
  - d. The cost of the arbitrator's services and the costs of any proceedings before the arbitrator will be borne by the local union. Individually incurred costs will be borne by the party incurring them.
9. Any objector who disagrees with the reduction in monthly per capita payments made by the International Office, in the belief that it does not accurately reflect the IBEW's expenditures on chargeable activities, may appeal the International Secretary-Treasurer's determination through the procedures set forth in the IBEW Agency Fee Payers Objection Plan. In the event any objector challenges the reductions received from both the International Secretary-Treasurer and the local union, then such appeals will be coordinated.