ARTICLE XXVI

AGENCY SERVICE FEE

A. Statutorily Based Provision: Designated Agency Service Fee

As a condition of employment during the term of this Agreement, every member of the Bargaining Unit who is not also a member of the Union shall pay, by payroll deduction a designated agency service fee, the Board and the Union having hereby stipulated and agreed that the sum so payable is proportionately commensurate with the cost to the Union of collective bargaining and contract administration. Such fee so required to be paid shall be payable on or before the thirtieth (30th) day next following the beginning of employment of any such Unit member, on or before the thirtieth (30th) day next following the effective date of this Agreement, whichever shall be later. The fee shall be designated as such by the payer in accordance with the established administrative and fiscal practices and requirements of the MSP/U-Mass Lowell. Individuals who pay a designated agency service fee are not union members.

Any other provisions of this Agreement to the contrary notwithstanding, every Unit member who shall have failed to fulfill the condition of employment as is herein prescribed shall be subject to immediate dismissal and shall be so dismissed by the Board; provided, however, that such dismissal shall be effected by notice promptly issued by the Board or its designee to such Unit member after the MSP/U-Mass Lowell shall have notified the Chancellor that such Unit member has not fulfilled the condition herein prescribed. The said notice shall be sent by registered mail, return receipt requested, and shall give such Unit member fourteen (14) days from the date of its receipt to fulfill the said condition. Within the said fourteen (14) days, the Board or its designee shall grant such Unit member such opportunity to respond to the said notice as the Board may from time to time prescribe for the purposes of this provision.

Whenever such Unit member shall not have fulfilled the condition herein prescribed within the said fourteen (14) days, the Board shall act to dismiss such individual at the meeting next following the expiration of the said fourteen (14) days; provided, however, that the Board need not so act if such Unit member fulfills the said condition prior to the date of such meeting. (cf Appendix A-3)

B. All dues and fees shall be by payroll deduction

C. Payroll deduction shall be permitted for unit members who wish to participate in MTA’s VOTE, a political action committee. All payroll deductions for unit members shall be allocated in equal amounts in each paycheck. A bargaining unit member who wishes to participate must consent in writing to the authorization of the deduction from his or her wages and to the designation of VOTE as the recipient thereof. Such consent shall be in a form acceptable to the Employer/University Administration and shall bear the signature of the bargaining unit member. A bargaining unit member may withdraw his or her
authorization by giving at least sixty (60) days notice in writing to his or her campus personnel office. The Employer/University Administration shall deduct contributions from the pay of bargaining unit members who request such a deduction in accordance with this Article and transmit such funds to the VOTE holding account within thirty days after the last day of the month in which the deduction is made, provided that the Employer/University Administration is satisfied by such evidence as it may require that the treasurer of VOTE has given a bond, in a form approved by the Employer/University Administration, for the faithful performance of his or her duties in a sum and with such surety or securities as are satisfactory to the Employer/University Administration harmless from any an all claims, demands, liability, const or damages arising from or related to this Article. An amount equal to one-tenth (1/10) of the annual dues certified by the VOTE treasurer shall be deducted monthly from September through June from the pay of bargaining unit members who have consented to said deductions as provided above.