# Q and A: Harris v. Quinn Supreme Court Ruling and the Impact on MN Child Care Union Effort

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The Supreme Court ruling in Harris v. Quinn on June 30, 2014, is going to impact the child care union effort here in MN. The ruling states that individuals who indirectly receive state subsidies based on their clientele cannot be forced to pay compulsory union fees (fair share). Harris v. Quinn is a case based on home health care assistants. This ruling extends to family child care providers.

**Q: Can a union still be formed in MN?**

*A: Yes. A child care union can still be formed. Organization of the union can occur as set forth in the Child Care Representation Act of 2013. If the measures to call for a vote in the Act are met, child care providers can vote to form a union.*

**Q: If a union should win an election, how will the ruling in Harris v. Quinn impact MN child care union dues?**

*A: Any child care provider who voluntarily joins the union will become a full union member and will be responsible for full union dues. The ruling in Harris v. Quinn set legal precedent needed to ensure victory on the fair share portion in the Minnesota challenge Parrish v. Dayton. As long as Parrish v. Dayton proceeds in the court, it will guarantee that any child care provider who chooses not to join the union will not be required to pay a fair share fee, whether in the defined bargaining unit or not.*

**Q: Did the ruling in Harris v. Quinn extend to exclusive representation?**

*A: No. Harris v. Quinn did not challenge exclusive representation, only fair share fees. Per the Child Care Representation Act of 2013, a union would still have the ability to gain EXCLUSIVE representation of child care providers in the bargaining unit as defined in the Act.*

**Q: Can a union organizer come to my door to solicit support now?**

*Yes. AFSCME-CCPT has indicated in news reports that it will continue organizing. Child care providers can anticipate further door knocking and should clearly understand anything they are asked to sign by a union organizer. A signature on a card may indicate your authorization to become a member of the union, and you will be responsible for membership dues.*

**Q: Can the union petition for an election now?**

*No. Parrish v. Dayton, the lawsuit filed by Minnesota family child care providers, with the support of the National Right to Work Legal Defense Foundation, won a temporary injunction halting the union's ability to petition for an election pending Harris v. Quinn. The 8th circuit court of appeals will rule shortly whether or not to lift the injunction or allow Parrish v. Dayton to move forward and receive a ruling on the merits of the case.*

**Q: What is the basis of Parrish v. Dayton and when is a ruling anticipated?**

*Parrish v. Dayton is similar to Harris v. Quinn, both with First Amendment challenges. In addition to challenging the fair share fees, it also challenges EXCLUSIVE representation. Parrish v. Dayton was heard in the 8th Circuit Court of Appeals on May 15, 2014 and a ruling is expected shortly.*

*July 1, 2014*