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18 *Attorneys for Plaintiff*

19 **UNITED STATES DISTRICT COURT**
20 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

21 Thomas Few,

22 Plaintiff.

23 v.

24 United Teachers of Los Angeles, et. al,

25 Defendants.

Case No. 2:18-cv-9531

**DECLARATION OF PLAINTIFF
THOMAS FEW**

1 Thomas Few, the undersigned Declarant and Plaintiff in the above captioned action,
2 declares under penalty of perjury:

3 1. I have been a special education teacher in the Los Angeles Unified School
4 District (LAUSD) since August 2016.

5 2. Since September 2016, I have taught at Francisco Sepulveda Middle School.

6 3. In August 2016, when I began my employment with LAUSD, I joined the
7 United Teachers of Los Angeles (UTLA). When I joined UTLA, neither UTLA nor LAUSD
8 informed me that I had the right not to join the union.

9 4. On February 13, 2018, UTLA offered me a union membership card that I
10 signed. Once again, I was not informed by UTLA or LAUSD of my right not to join the
11 union.

12 5. Later in 2018, I learned that I had a legal right not to be a union member but
13 to pay agency fees instead of full union dues. On or about June 2, 2018, I sent a letter to
14 UTLA asking to resign my membership and to become an agency fee payer.

15 6. On July 13, 2018, UTLA responded to my resignation letter by rejecting it.
16 UTLA stated that I could not resign from the union until my resignation window, which
17 was "not less than thirty (30) days and not more than sixty (60) days before" the anniversary
18 of my union membership on February 13.

19 7. After the Supreme Court issued its decision in *Janus v AFSCME*, I learned that
20 I had the right both not to be a member of the union and not to pay any money to the union.
21 I submitted a second resignation letter to UTLA on August 3, 2018. I received no response
22 from UTLA to my second resignation letter.

23 8. I also sent a copy of my August 3, 2018 UTLA resignation letter to LAUSD. I
24 did not receive a response from LAUSD.

25 9. On or about October 10, 2018, I submitted a third letter to UTLA, explaining
26 that the union agreement I had signed in February 2018 was invalid after the Supreme
27 Court's decision in *Janus*. I requested, once again, to resign from the union and stop having
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1 its dues deducted from my paycheck. UTLA responded to my third letter by denying it
2 because it was not received within the resignation window.

3 10. LAUSD has deducted union dues of approximately eighty-six dollars (\$86) per
4 month from my paycheck since I began employment in August 2016. LAUSD continues to
5 deduct these dues, despite my repeated requests that it be stopped.

6 11. I do not wish to be a member of UTLA or to have union dues deducted from
7 my paycheck.

8 12. I do not wish UTLA to be my representative in bargaining negotiations with
9 LAUSD.

10 13. I do not approve of the political advocacy in which UTLA engages.

11 14. I do not agree with UTLA's threatened strike against LAUSD.

12 I, Thomas Few, declare under penalty of perjury that the forgoing is true and correct.

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Executed on November 12, 2018.

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Thomas Few

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Exhibit

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United Teachers Los Angeles
3303 Wilshire Blvd Fl 10
Los Angeles CA 90099-9209

To Whom it May Concern:

Effective immediately, I resign membership in all levels of United Teachers Los Angeles and all affiliated labor organizations.

As a nonmember, I object to the use of my agency fee for nonchargeable activities, in accordance with my rights as protected by *Abood v. Detroit Board of Education* and *Chicago Teachers v. Hudson*.

I request a copy of the most recent calculation of the chargeable portion of my agency fee and an explanation of how I am to be refunded or to be charged a reduced fee based on only the chargeable portion.

This objection is permanent and continuing in nature and should be honored for as long as I remain in the bargaining unit.

Since I am continuing to pay for the "representation" portion of my dues, I understand the union will continue to represent me fairly and without discrimination in all matters subject to collective bargaining. I understand that I cannot be denied any benefits, including healthcare, pension, step increases, etc., under the labor contract with my employer because of non-membership in the union.

Lastly, I request that you promptly provide me with a copy of any dues payment authorization—written, electronic, or oral—the union has on file for me.

I trust that you will act promptly to properly observe my constitutional rights.

Thomas Few

Ventura, California

(805)

LAUSD
TEACHER
Full Time

Signature and Date: Thomas Few 6-2-18

Do not contact me with any future membership solicitations or union materials.

Exhibit

C



7/13/18

THOMAS FEW

VENTURA, CA

Thank you for contacting United Teachers Los Angeles regarding your membership.

We encourage you to take this opportunity to consider the challenges we face as educators in today's environment. **Our work has become more urgent under the new LAUSD superintendent, Austin Beutner.** One of his first actions in office has been the release of the fundamentally flawed "Hard Choices" report that blames teacher pay, pensions, and healthcare for LAUSD's financial problems. The report ignores the real culprits: LAUSD's unwillingness to spend the \$1.7 billion projected reserve, California's drastically low per-pupil funding, the federal shortfall in special education funding, and the unregulated charter growth that drains nearly \$600 million from LA schools every year.

The stakes are higher than ever to ensure our collective voice stays strong. The UTLA ALL In membership is what will protect us-our healthcare, our secure retirement, our ability to advocate for our students- from the Janus v. AFSCME Supreme court ruling.

Our records indicate that you signed a UTLA ALL IN Membership Card on 2/13/18 (see attached copy) where you agreed – irrespective of union membership – to pay monthly dues unless you provide written notice by U.S. mail to UTLA during the open period not less than thirty (30) days and not more than sixty (60) days before the annual anniversary date of the agreement (i.e., of your signature date). Your agreement to maintain dues payments is automatically renewed from year to year unless you revoke it in writing during the open period.

UTLA will only honor requests to terminate annual dues payments during the open period specified above upon written notice via U.S. Mail to: UTLA, 3303 Wilshire Blvd., 10th Floor, Los Angeles CA 90010, Attn: Membership Dept. With your request please include your name, employee number, original signature, and reason for your request (optional).

You can terminate your membership and become a **Dues Paying Non-Member** only, but you must continue to pay dues until it is revoked in writing during the *open period* specified above. If you wish to become a Dues Paying Non-Member, please submit a written notice by U.S. mail to UTLA.

If you should have any questions, please email: membership@utla.net or call (213) 487-5560.

Exhibit

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United Teachers Los Angeles
3303 Wilshire Blvd #10,
Los Angeles, CA 90010

To whom it may concern:

I am employed by Los Angeles Unified School District. With this letter I am resigning my membership in the union. In accordance with my rights under the Supreme Court's decision in *Janus v AFSCME* and/or any right-to-work laws or other similar laws of my state, I no longer wish to pay dues or fees to the union. Therefore, I am immediately terminating my membership in the union and all of its affiliates and revoking any previous dues authorization, check off, or continuing membership form that I may have signed. I understand that I may rejoin at a later time if I believe that membership is in the best interests of me, my family, and those in my work environment who rely on me.

If you refuse to accept my resignation at this time and/or refuse to cease charging me dues and/or fees, I request that you hold this letter until such time as you believe that I can resign effectively, and honor this letter and my resignation and revocation request at that time. If you refuse to accept my resignation at this time and/or refuse to cease charging dues and/or fees, please inform me of the reason or reasons why I cannot resign immediately, and the date(s) at which you believe I can effectively resign, along with any further steps that are necessary. If there is a "window" period during which I can resign or revoke any withholding authorizations or checkoffs, please send me a copy of all controlling documents which state what this window period is for me, such as any bylaws, checkoff cards and/or authorizations.

Please be aware that my right to refrain from paying fees to the union is a constitutional right to free speech protected under *Janus*. If I am denied that right, I may take legal action to enforce my rights.

Sincerely,

Thomas Few
Ventura, CA [REDACTED]
805 [REDACTED]
[REDACTED]@gmail.com

Signature: Thomas Few Dated: 10-10-18

Exhibit

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10/19/18

THOMAS FEW

VENTURA, CA

Thank you for contacting United Teachers Los Angeles regarding your membership.

Our records indicate that you signed a UTLA ALL IN Membership Card on 2/13/18

You can terminate your membership and become a *Dues Paying Non-Member only*, but you must continue to pay dues until it is revoked in writing during the open period. If you wish to become a Dues Paying Non-Member, please submit a written notice by U.S. mail to UTLA.

UTLA will only honor requests to terminate annual dues payments during the open period not less than thirty (30) days and not more than sixty (60) days before the annual anniversary date of the agreement (i.e., of your signature date) upon written notice via U.S. Mail to: UTLA, 5315 Wilshire Blvd., 10th Floor, Los Angeles CA 90010, Attn: Membership Dept. With your request please include your name, employee number, original signature, and reason for your request (optional).

Please note your agreement to maintain dues payments is automatically renewed from year to year unless you revoke it in writing during the open period.

If you should have any questions, please email: membership@utla.net or call (213) 487-5560.

President
United Teachers Los Angeles (UTLA)
3303 WILSHIRE BLVD, 10TH FL
LOS ANGELES, CA 90010

UTLA President:

Effective immediately, I resign membership in all levels of United Teachers Los Angeles (UTLA).

As a nonmember, I request that you immediately cease deducting all dues, fees, and political contributions from my wages, as is my constitutional right in light of the U.S. Supreme Court's ruling in *Janus v. AFSCME*.

This objection is permanent and continuing in nature and should be honored for as long as I remain in the bargaining unit.

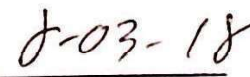
I understand that UTLA has arranged to be the sole provider of workplace representation services for all employees in my bargaining unit and that I am legally prohibited from using alternative services. I understand further that, in exchange for the privilege of acting as the exclusive bargaining representative, UTLA must continue to represent me fairly and without discrimination in dealings with my employer and cannot, under any circumstances, deny me any wages, benefits, or protections provided under the collective bargaining agreement with my employer.

Furthermore, I request that you promptly provide me with a copy of any dues deduction authorization – written, electronic, or oral – the union has on file for me.

I trust that you will act promptly to properly observe my constitutional rights.



Signature



Date

THOMAS FEW
LAUSD


VENTURA, CA 

Do not contact me with any future membership solicitations or union materials.