

NEA's Guide to Unit List Acquisition

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The National Education Association (NEA), the nation's largest professional employee organization, is committed to advancing the cause of public education. NEA's three million members work at every level of education – from pre-school to university graduate programs. NEA has affiliate organizations in every state and in more than 14,000 communities across the United States.

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Introduction: Why Is It Important to Have Good Lists?

Now more than ever, strong public sector unions depend on their members. It is essential to meet and organize prospective members as early as possible. Accessing and maintaining up-to-date information on all employees represented by the Local Association is an essential building block to a strong and effective organization.

There are a number of strategies used by affiliates across the country to access and maintain up-to-date contact and worksite information. The opportunities below are recommended in order of strength: The higher the recommendation, the more durable and secure your union's rights to effectively represent and organize your members and potential members.

1

Policy Change:

Policy change can be achieved at the state level through legislation or administrative/executive action, or at the local level through ordinances or school board policy changes. Many states have passed bills that require employers to provide union representatives with contact information for new hires and for all employees in the bargaining unit, and to grant access to new employee orientations. We can seek policy changes even in states or localities that do not allow full collective bargaining.

2

Negotiated Language:

Associations can and should negotiate contract language that requires every employer to provide contact information for new hires and for all employees in the bargaining unit. Even in states without collective bargaining, it is possible to secure language through the "meet and confer" process by writing these priorities into employee policy manuals and other formal documents.

3

Relational Information Request:

Many Associations have good working relationships with districts and can get employee contact information by submitting an information request to the district superintendent or human resources director. Where the Association has formal recognition as the exclusive representative, that status usually carries with it an obligation to represent the interests of everyone in the "unit" – whether they are Association members or not. Therefore, the Association has a right to know who that includes and how to contact them. Even in units without exclusive representation, employers should honor information requests. Nevertheless, relationships can change, so we recommend that the local push for policy changes or negotiated language whenever possible.

4

Utilize Publicly Available Data:

In many districts, it is possible to assemble worksite data on education employees by systematically culling information from publicly available school websites.

5

FOIA Request:

When a superintendent or school board is unwilling to voluntarily agree to share the necessary information, filing an official "Freedom of Information Act" or "Right to Know" request under your state law may provide access to some basic information on public employees. However, we should advocate in favor of limiting what information is available through FOIA; we have a legitimate need and purpose for this data, but others might use it to harass and invade the privacy of our members.

Which Data Fields Are Most Important?

Basic identification and contact information is essential. This should include:

- ▶ **First name**
- ▶ **Last name**
- ▶ **Employee ID number**
- ▶ **Home address**
- ▶ **Home telephone number**
- ▶ **Personal cell phone number**
- ▶ **Personal email address**

Basic worksite information is also essential. This can include:

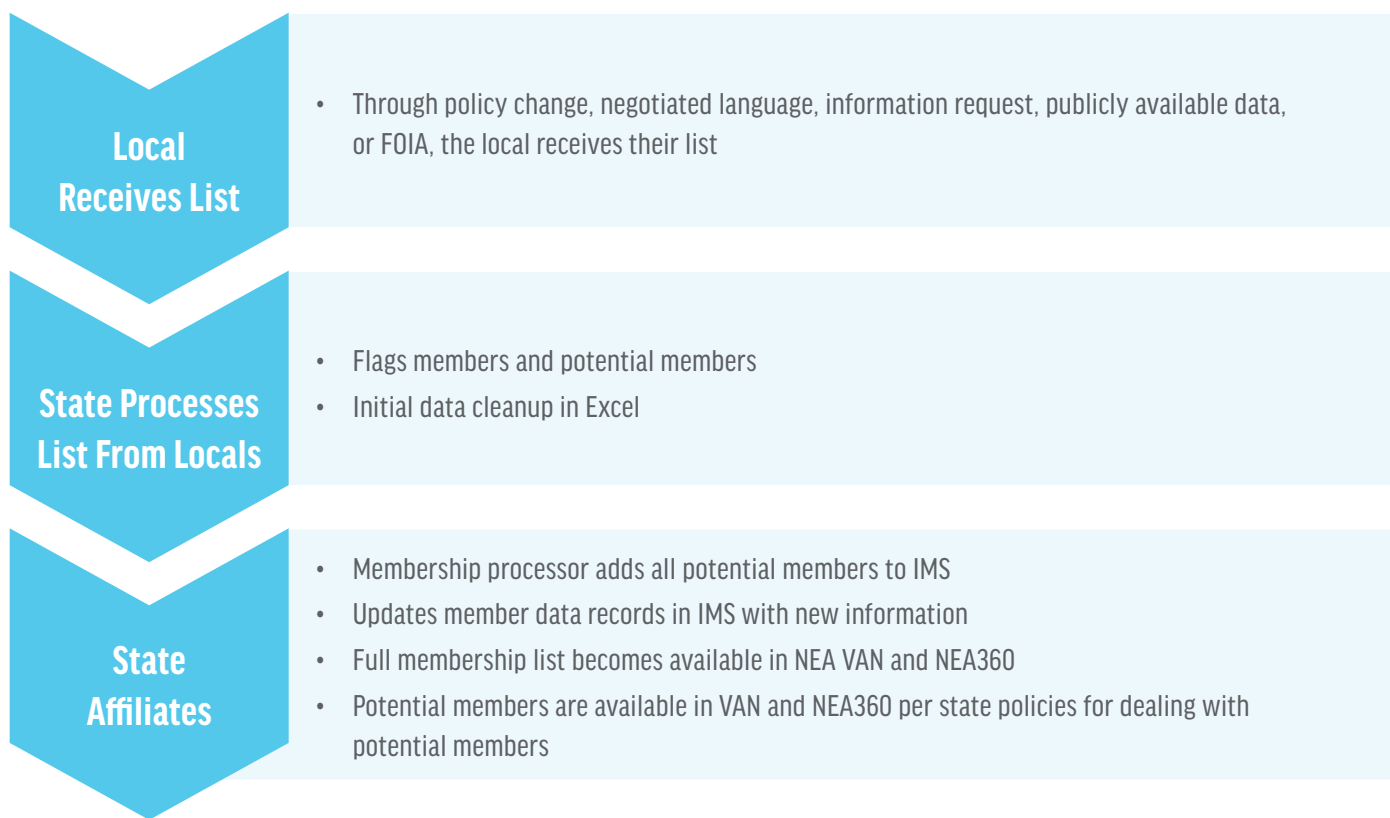
- ▶ **Job title**
- ▶ **Work location**
- ▶ **Current assignment**
- ▶ **Work phone number**
- ▶ **Work email address**
- ▶ **Date of hire**

Where appropriate for the membership unit, this can also include:

- ▶ **Part-time or full-time**
- ▶ **Work shift**



Model List Acquisition Processes



NEA membership data is stored within our “IMS System,” which was designed for storing membership information for processing dues. NEA360 is being built over IMS as a portal for members to maintain their contact information and allow more online interaction with their union. In addition to membership information being stored in IMS, the data is synced twice per month to bring the data into MyWorkers VAN and MiniVAN: software that is available for field staff and local affiliate leaders for organizing and engaging both current and potential members.

No action is needed for states to bring their membership information into VAN; however, potential member data, which is often not in IMS, can either be included within the regular IMS data entry coded as “Potential Members,” or the lists can be matched to the Catalyst voter file and uploaded to VAN.

The Catalyst data match may enhance the data with additional contact information (*phone number, address, and email*) that was not included in the source file. This provides additional options for contact, and the software provides tools for outreach through door-to-door canvass, phone calls, or worksite visits. The data can also be exported for mail vendors.

Bargaining unit lists – and new hire lists – can either be processed through IMS or they can be added to MyWorkers VAN. When imported to VAN, they are saved in a folder for direct access.

State Data Leads with moderate/advanced experience with formulas in Microsoft Excel can receive training and access to Catalyst’s Match tool by reaching out to the Center for Organizing Data Team.

Alternatively, the Data and Analytics team in NEA’s Center for Enterprise Strategy can process and upload the lists when you submit your files to datahelp@nea.org.

See Appendix A for a case study on Florida Education Association’s process for list acquisition that focuses on roles and responsibilities at the local and state level.

Opportunity 1: Policy Change

Policy change can be achieved at the state level through legislation or administrative/executive action, or at the local level through school board policy changes or local ordinances.

- ▶ **STATE LEGISLATION:** State legislation is an important way to secure access to data on the educators we represent. Armed with statutory language, we can bargain stronger contracts and secure regular access to information without frequent requests.
- ▶ **STATE ADMINISTRATIVE POLICY OR EXECUTIVE ACTION:** Working with the governor and within the relevant state departments (*ex. Education, Labor*), states have secured policy changes that support access to data on the educators we represent.
- ▶ **SCHOOL BOARD POLICY:** Without action taken at the statewide level through legislation or administrative action, Local Associations may secure policy at the school board level to secure access to data on the educators we represent.

Affiliates' efforts have focused on two main areas:

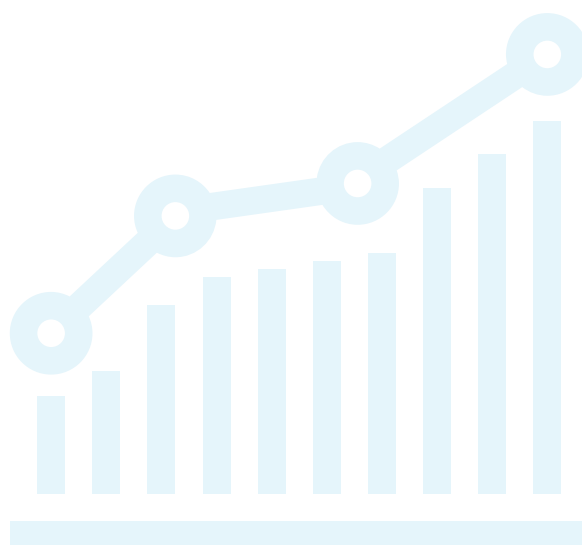
- Data and Lists: Securing Rights to Contact Information for New Hires and All Represented Employees
- New Employee Orientations (NEOs) and other access to New Employees

Data and Lists: Securing Rights to Contact Information for New Hires and All Represented Employees

In order to engage and sign up new bargaining unit members, we must know who they are as early as possible. In order to effectively represent everyone in the bargaining unit, and to recruit members at key times (*for example, during the contract process*), we need regular electronic delivery of bargaining unit lists. With rights to data and lists secured in statute, policy, or bargaining, we have the framework needed to negotiate for efficient, effective provision of employee data.

Whenever possible, we should ground our right to receive contact data on new employees in our status as democratically elected bargaining representatives that are charged with the duty of working on behalf of every employee in the bargaining unit. To get this information, we should not have to rely on "Right to Know" laws available to the general public, including our right-wing opponents; in fact, laws including the 2019 bill passed in Illinois, SB 1784, contain provisions to protect sensitive employee data from disclosure under freedom of information acts. Nor do we need to make information requests through bargaining.

In 2017, California passed a model statute mandating early and frequent delivery of new employee data in AB119. Hawaii, Illinois, Maine, Maryland, Massachusetts, New Jersey, New York, Oregon, and Rhode Island have passed similar provisions. Key points to look for in language are 1) limiting data access to the bargaining agent, and restricting access by third parties in order to protect our members from intrusive approaches from anti-worker, anti-union organizations; and 2) the delivery of data in electronic form. The language following this sentence, taken from the statute passed in New Jersey in 2018, provides a model; others are linked in Appendix B.



Model Legislative Language

- 
- ▶ Within 10 calendar days from the date of hire of negotiations unit employees, public employers shall provide the following contact information to an exclusive representative employee organization in an Excel file format or other format agreed to by the exclusive representative employee organization: name, job title, worksite location, home address, work telephone numbers, and any home and personal cellular telephone numbers on file with the public employer, date of hire, and work email address and any personal email address on file with the public employer. Every 120 calendar days beginning on January 1 following the effective date of this act, public employers shall provide exclusive representative employee organizations, in an Excel file or similar format agreed to by the employee organization, the following information for all negotiations unit employees: name, job title, worksite location, home address, work, home and personal cellular telephone numbers, date of hire, and work email address and personal email address on file with the public employer.

The home addresses, phone numbers, email addresses, dates of birth, and negotiation units and groupings of employees, and the emails or other communications between employee organizations and their members, prospective members, and non-members, are not government records and are exempt from any disclosure requirements of P.L.1963, c.73 (C.47:1A-1 et seq.).

Opportunity 2: Negotiated Language

Strong contract language not only specifies the data fields to be shared, but also guarantees that the employer provide the information in a regular, timely manner, preferably on a biweekly basis (*for example, with the regular transfer of payroll deductions*).

Further provisions can and should require that information on all new hires be provided immediately upon hiring, not simply after they begin working. The regular transfer of unit member information should also include clear listing of employees who have retired, resigned, been dismissed, gone on long-term unpaid leave, been promoted or re-assigned, or otherwise left active employment in the unit.

In addition to securing the union access to such information on an ongoing basis, affiliates should consider amendments to state FOIA and "Right to Know" laws that restrict the ability of third parties to access detailed employee information, or at the very least, give the union advance notice and an opportunity to respond when a third party has requested such information. We have uniquely legitimate reasons, and often a legal duty, to understand and contact the workers we represent. But as we know from experience, other organizations will use requests for public data to invade our members' privacy.

Model Contract Language for Unit Member Information

- ▶ **Section 1.** At the beginning of each contract year, and at least every 120 days thereafter, the Employer shall supply the Union with the following information for each employee:
 - name, home address, telephone number, cell phone number, and email address;
 - employee identification number;
 - most recent date of hire and seniority date(s), if different;
 - job title, current assignment, work location, work telephone number, and work email address; and
 - salary and/or any other form of compensation.
- ▶ **Section 2.** At the beginning of each contract year, and at least every 120 days thereafter, the Employer shall supply the Union with the following information for each employee:
 - new hires, resignations, retirements, long-term unpaid leaves of absence, dismissals, and/or any other separations from employment; and
 - any other changes in the information specified in Section 1 and the effective date of such changes.
- ▶ **Section 3.** The Employer shall furnish the Union with the information specified in Section 1 for each new employee within one week after his/her date of hire.

[NEA's Collective Bargaining and Member Advocacy Department](#) maintains a contract database from across the country and can provide samples of contract language guaranteeing access to unit member information. Specific examples include:

Example: United Faculty of North Orange County Community College District (CA)

INFORMATION REGARDING UNIT MEMBERS

The Association shall have the right to receive, within a reasonable time, upon request, names, job titles, and information regarding compensation of all unit members. If requested by the Association, and authorized by the employee, such listing shall include home addresses and telephone numbers.

Here is another sample of how the issue can be addressed in contract language:

ACCESS TO EMPLOYEE HOME ADDRESS AND TELEPHONE NUMBERS

On a monthly basis, the University shall provide the union with an electronic list via File Transfer Protocol (FTP) of all employees in the bargaining unit. The list will include the following data fields: name, title, title code, date of hire, annual salary rate, percentage appointment, appointment type, campus mailing address and hiring unit, email address, separation date and reason, leave of absence date and reason, and dues indicator. In addition, the list will include the home address and telephone number of bargaining unit members unless the employee has specifically requested that the home information not be released.

The University will provide a weekly list of changes (e.g. new hires, corrections, transfers, salary changes) via FTP that have occurred within the bargaining unit. The data fields provided via FTP are subject to change upon agreement of the parties...

Upon written request, the University will provide the undisclosed home addresses to a mutually agreed-upon mailing service firm through which [the union] can correspond with said individuals. The mailing service shall keep confidential the home address of the employees who have requested that their home information not be released. The union will bear all costs associated with this service.

Opportunity 3: Relational Information Request

Where the Association is recognized as the exclusive representative of the employees in the unit, it can make information requests for employee information as needed for the union to fulfill its statutory bargaining obligations. Such requests should be specifically grounded in the union's statutory bargaining obligations so as to indicate that lists should only be given to the union because of its special status as the bargaining representative.

Where the Association does not have recognition as the exclusive representative of the employees, an information request may still bear fruit. Exercise caution with this approach, however, as the employer may conclude that it must share similar information with other third parties who request it. Wherever possible, we should stress our uniquely legitimate need for the data, given our role as a representative of public workers.

See sample letters in Appendix D.

Opportunity 4: Utilize Publicly Available Data

This refers to the process of automated data collection from publicly available databases of information. Many universities post class schedules and faculty information on public facing websites that can be collected into Excel. Publicly available information on course schedules can be especially useful in finding and communicating with adjunct faculty.

Data mining services are available from the NEA Data Team for state and local affiliate organizers needing potential member lists. The requestor must identify the specific URL location of the data to be collected as well as the columns to be included.

The Center for Organizing Data Team relies on field staff and affiliates to identify areas where this data is available. Requests for scraped data can be submitted at any time, to datahelp@nea.org.

Opportunity 5: Freedom of Information Act (FOIA) Requests

Public information laws and privacy laws vary from state to state. In many states, NEA and affiliates have worked hard to protect member privacy by ensuring that detailed public employee personal information is not subject to disclosure to third parties under the state FOIA law. If the options above for obtaining employee information are not available or efforts are unsuccessful, you may be able to obtain some such information through your state's FOIA law. Check with your affiliate counsel before going this route, as you do not want to inadvertently open the door to disclosure of employee information to third parties if it does not currently exist in your state.

Where a FOIA request is available and makes sense to pursue, it can be submitted to the District Superintendent for information on district employees.

State and Local Associations can also submit FOIA requests to state retirement agencies and state certification agencies to gather information on members and prospective members who are either in state retirement plans and/or are certified by state agencies. This has proven a particularly insidious way for anti-worker organizations to gather lists of union employees; in some states, we have advocated to limit access to that information to secure the privacy of our members and retirees.

For a useful starting point in crafting such requests, see the model templates maintained by the National Freedom of Information Coalition (www.nfoic.org) for each state. As always, you should check with your affiliate counsel to confirm the reliability of the citations and models offered on that website.

<https://www.nfoic.org/organizations/state-sample-foia-request-letters>

APPENDIX A: Florida Education Association Model List Acquisition Process

Conditions in Florida:

- F.S. Chapter 447 Collective Bargaining Rights.
- Liberal public records laws, making public employees' names, addresses, salary, etc. public record unless exempt (*e.g. law enforcement and their family*).
- 2018 FL Legislature passed a law that forces each local teacher's union to report its density to the Public Employees Relations Commission. Locals not reporting 50% or higher density yearly would be decertified and forced to go through the card collection process and an election to recertify as the bargaining agent.



Results:

FEA developed a statewide process for acquisition and verification of potential member lists/bargaining unit lists in order to assist locals with complying with the new reporting requirements of the law.

Every teachers' local in the state reached the 50% or higher density threshold, as required, in 2018 and 2019.

How:

Organizing and Field Services worked with IT to **develop a master spreadsheet** that includes number in bargaining unit, number of members (based on IMS), density percentage, PERC recertification date, etc. for each local. The spreadsheet calculates density and highlights locals below 50%.

For **state option locals**, information for the spreadsheet is reported monthly by each state option local membership secretary to the Office of Organizing and Field Services. During the first year, information was reported weekly, but has now changed to monthly. Reports are due to the OFS office by the 15th of the month and must highlight any changes to the bargaining unit number. If a change has occurred to the overall bargaining unit number, the OFS office reports it to IT who then changes the spreadsheet to reflect the change (*so the density reflects actual bargaining unit numbers*). At the beginning of each month, IT runs a membership report that is reviewed by the FEA Vice President and the OFS Director. When approved, it is distributed to all state officers, OFS managers, NEA and AFT contacts. NEA's Tom Israel receives this report monthly. Reports are distributed to the FEA Governance Board quarterly.

For **local option locals**, affiliate field staff (*regional specialists, service unit directors, etc.*) are each assigned to a local for communication of important information, even if they are not actively working in that local. These personnel contact the staff or leaders in the local options quarterly to collect their bargaining unit data. The information is added to the spreadsheet and updated when changes occur.

For the infrequent cases where the district refuses or delays in providing the information needed, **FEA has developed several form letters** for locals to provide as a public records request or demand. Because of the public records laws and the collective bargaining provisions in the Florida Constitution and law, most school districts provide the information on a bargaining unit through a simple request made to their payroll or IT department by the local leader or local staff (if local option), or by the service unit or local membership secretary (*if state option*) without a formal demand.

Locals who have had repeated difficulty in receiving the information they need are encouraged to **bargain contract language** that outlines the information they would require for developing a time/experience grid for bargaining such as name, worksite, position title, years of experience, salary, address, etc.

Importance of Relationships:

Local leaders and membership secretaries develop relationships with their counterparts in the school district central office (sometimes they are our members) to maintain good data and information. In situations where there is a breakdown in that relationship, often a call between a staff attorney and the district's attorney can clarify the union's right to have the information they are requesting. In rare instances, a more formal response has been needed to get a district to comply, often as a result of complicated bargaining issues not related to the information being requested.

APPENDIX B: State Laws Supporting Effective Union Representation (As of 12/2019)

NEA Office of General Counsel

State	Year Passed	Bill No.	Key Provisions
 California	2017	AB 119	Data and Lists: Grants certified representative timely, regular access to information about new hires and represented employees; sets timelines for receiving lists. New Employee Orientations (NEOs): Provides certified representative mandatory access to NEOs, sets requirements for notice. Grants rights to bargain and arbitrate over the structure, time and manner of NEOs.
	2018	SB 866	NEOs: Expands coverage of NEO law, restricts access to information re: time and place of NEOs. Dues Deduction, Maintenance of Payment (MOP): Requires employer to honor the terms of the employee's deduction authorization and provides that employers shall rely on information from employee organization regarding whether to end or change deductions. Dues Deduction, Custodian of Record (COR): Requires employer to process deductions pursuant to the employee organization's certified list of individual employee deduction authorizations without requiring submission of a copy of those authorizations, unless a dispute arises. Provides that employee organization shall indemnify the employer for employee claims made in reliance on its certification. Neutrality: Strengthens employer neutrality policy; sets requirements for review of mass communications.
 Delaware	2018	HB 314	Dues Deduction, MOP: Requires employer to honor terms of dues authorization, including maintenance of dues payment. Further provides process to revoke where authorization silent.*
 Hawaii	2018	HB 1725	MOP: Seeks to establish timeframe and process for employee revocation of dues deduction authorization.*
	2019	HB 845	NEOs: Mandates new hire orientation for state employees; gives exclusive representative access.
	2019	HB 157	Data and Lists: Requires employers to disclose to exclusive representatives contact data on employees in bargaining unit, as well as data on new hires.
 Illinois	2018	SB 1784	Data and Lists: Requires employers to provide exclusive representatives with digital lists of employees in the bargaining unit, and new employees within 10 days of hire. Employee Data Protection: Protects some data and communications between union and employees from disclosure under state FOIA. Also protects data held by a pension fund or retirement system. Mandates employer disclosure to exclusive representatives any such FOIAs; creates right to file ULP if unwarranted disclosures.

NEA Office of General Counsel

State	Year Passed	Bill No.	Key Provisions
 Illinois (Continued)	2019	SB 1784	Access to New Employees: Grants right to one-on-one meetings with new employees at worksite and on paid time, for up to 1 hour, within 2 weeks of hire. Access: Grants access to employees at worksite for matters related to representation; grants access to bulletin boards, mailboxes, and email (<i>if bargained</i>). Dues Deduction, MOP: Requires employer to make deductions to exclusive representatives per terms of employee's written authorization, including electronic authorization; permits reasonable MOP provisions. Dues Deduction, COR: Employee requests to authorize, revoke, or change deductions directed to exclusive representatives, who shall provide to or notify employer of these requests. Employer shall make deductions pursuant to information provided by the exclusive representatives, who shall indemnify employer for claims in reliance on that information. Failure to comply shall be ULP; IPLB shall have jurisdiction, hold disputed deductions in escrow. Neutrality: Employer shall not discourage, deter, etc. public employees from joining, authorizing representation by, or making payments to labor organizations, nor permit third parties to use email to do so.
 Maine	2019	HP 1063 - LD 1451	Data and Lists: Requires employers to provide bargaining agent with information on employees in unit and new hires; restricts sharing of some data beyond bargaining agent. NEOs: Provides bargaining agent with right to meet with new hires during new employee orientations or in individual or group meetings. Access: Grants bargaining agent right to access members of unit at workplace, use employer email system for certain purposes
 Maryland	2018	SB 819	Data and Lists: Grants certified representative of school employees timely, regular access to information regarding new hires and all represented employees. NEOs: Requires public school employers to provide exclusive representatives with access to new employee processing, and establishes right to negotiate the structure, time, and manner of that access.
 Massachusetts	2019	H3854	Data and Lists: Establishes employee organization rights to contact data for public employees, protects information from general disclosure. Provides that employer must supply new hire information within 10 days after employee accepts an offer of employment. NEOs: Grants employee organization right to meet with new hires during NEOs or at individual or group meetings. Access: Grants employee organizations right to hold meetings at worksite, and access to employer email system and buildings, for certain purposes. Dues Deduction, MOP: Requires employer to make payroll deductions pursuant to the terms of the employee's written authorization, and provides that employers shall honor the revocation terms of that authorization provided it may be irrevocable for a period of no longer than 1 year.

NEA Office of General Counsel

State	Year Passed	Bill No.	Key Provisions
 Massachusetts <i>(Continued)</i>	2019	H3854	Representation Fees: Exclusive representatives may require non-member to pay for reasonable costs of grieving or arbitrating a matter arising under a CBA; limits DFR to negotiation and enforcement of CBA terms.
 New Jersey	2018	A3686	Data and Lists: Mandates timely provision of new hire lists and contact data (<i>10 days</i>) and regular provision of data regarding represented workers. Protects sensitive data from public release. NEOs: Provides exclusive representative with right to access NEOs. Access: Secures exclusive representative rights to access NEOs, employee contract data, employer email systems, and employer buildings; protects access rights pursuant to grievance and binding arbitration procedures. Dues Deduction, MOP: Strengthens existing law on payroll deduction; clarifies validity of electronic authorization. Creates a statutorily defined process for employees to revoke deduction authorization.* Neutrality: Establishes policy of public employer neutrality on union membership and support.
 New York	2018	S.7509-C (RRR)	Data and Lists: Mandates timely provision of data on new hires, transfers, and promotions into unit. NEOs: Grants union right to meet with new hires for specified amount of time (<i>not NEO-specific</i>). Dues Deduction, MOP: Provides obligation to deduct dues, and begin deductions in timely way; requires employer to honor terms of membership authorization to maintain dues payment. Representation: Clarifies that DFR does not reach beyond CBA. Permits negotiation to relieve union of obligation to represent non-members in certain cases.
 Nevada	2019	SB135- State EEs	Dues Deduction, MOP: Requires state to bargain provisions to deduct payments to the exclusive representative, and to revoke authorizations only in the manner prescribed in the authorization. (State) Employer Neutrality.
 Oregon	2019	HB2016	Data and Lists: Requires employer to provide employee contact data within 10 days for new hires, and every 120 days for employers in bargaining unit. NEOs: Provides right to meet with new employees on paid time during NEO, or if no NEO held, at individual or group meetings. Access: Mandates comprehensive access for exclusive representative, including access to new employees and to bargaining unit employees for specified purposes; permits use of employer property and email for defined purposes; grants release time to engage in activities on behalf of exclusive representative, including participating in NEOs or other new hire meetings, pursuant to negotiation.

NEA Office of General Counsel

State	Year Passed	Bill No.	Key Provisions
 Oregon <i>(Continued)</i>	2019	HB2016	Dues Deduction, MOP: Requires public employer to make payroll deductions authorized by employees; provides that deductions remain in effect until employee revokes pursuant to the terms of the authorization. Dues Deduction, COR: Labor organization shall provide to each employer a list of individual employees who have authorized deductions to the labor organization; public employer shall rely on the list to make deductions. Employer shall not be liable for unauthorized deductions made in reliance on the list; labor organization shall indemnify employer amount of any unauthorized deduction resulting from reliance on the list.
 Rhode Island	2019	H5259 - SUB A	Data and Lists: Requires state, teacher, and municipal employers to provide exclusive representative with information on new hires. Dues Deduction: Requires state employers to make deductions, and continue until employee files written notice to stop with bargaining representative. (State) Employer Neutrality. Representation Fees (Teachers, Local and State Employees): Permits labor organizations to charge fees to cover reasonable costs of grievance hearings and arbitration.
 Washington	2018	SB 6229	NEOs: Requires employer to provide exclusive bargaining representative with reasonable access to new employees, during an NEO provided by employer or at another mutually agreed time.
	2019	HB 1575	Dues Deduction, MOP, COR: Requires employer to deduct dues following employee's authorization to the exclusive bargaining representative. States that deductions shall begin upon notice of authorization from exclusive representative and shall remain in effect until revoked in accordance with terms of authorization, and following confirmation from the exclusive representative. Employer shall rely on information provided by the exclusive representative regarding authorization and revocation of deductions.

**Not best practice language.*

APPENDIX C: Sample FOIA Letter

Dear <DISTRICT SUPERINTENDENT/CONTACT>,

Pursuant to the Colorado Open Records Act § 24-72-201 et seq. and/or the Colorado Criminal Justice Records Act § 24-72-301 et seq., I request that you make available for inspection and copying the following public records: The names of all school employees, their worksite, and grade/subject assignments. This file should be in Excel format and include publicly available contact information on file with the employer. If you are not the custodian of records for this request, please forward this letter to the appropriate person or let me know which person(s) has custody of these records.

This information is not being sought for commercial purposes. If there are any fees for searching or copying these records, please inform me if the cost will exceed \$__.

Please set a date and hour, within three working days following receipt of this letter, at which time the records will be made available for inspection. If access to these records will take longer, please cite the extenuating circumstances and let me know when I should expect copies or the ability to inspect the requested records.

I ask that records available in electronic format be transmitted by email to [Your Email Address].

If you deny any portion, or all, of this request, please provide me with a written explanation of the reason(s) for your denial, including a citation to each specific statutory exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

If you conclude that portions of the records that I request are exempt from disclosure, please release the remainder of such records for inspection and copying, redacting only the portion or portions that you claim are exempt.

Please contact me with any questions about my request. Thank you for your time.

Sincerely,

<Local President Name>

<Street Address>

<City, State ZIP Code>

<President's Phone Number>

<President's Email Address>

As we know from our experience in right-to-work states, having detailed information on prospective members is essential. And given the growing national onslaught against union rights, we cannot take our access to unit member information for granted. If you have questions or need assistance, please contact the Data and Analytics Department at datahelp@nea.org or the NEA Collective Bargaining and Member Advocacy Department at collectivebargaining@nea.org.

APPENDIX D: Sample Relational Request Letters

(Exclusive Representative & Not Exclusive Representative)

Letter 1:

Dear <DISTRICT SUPERINTENDENT/CONTACT>,

As the exclusive representative for the <INSERT UNIT DESCRIPTION > unit, the Association has an obligation to represent all the employees in the unit. Therefore, in order to fulfill that obligation, we are requesting the following information about the employees in the unit.

We are requesting that the data be provided electronically, in Excel format, with the following fields:

- | | |
|------------------------------|----------------------|
| • First name | • Job title |
| • Last name | • Work location |
| • Employee ID number | • Current assignment |
| • Home address | • Work phone number |
| • Home telephone number | • Work email address |
| • Personal cell phone number | • Date of hire |
| • Personal email address | |

I am sure you can appreciate why it is necessary for the Association to have comprehensive, up-to-date information on all the employees that we have an obligation to represent, so that we can both identify and communicate with them.

If you have any questions, please let me know. I look forward to working with you or your staff, both to fulfill this request, and in our continuing shared efforts to protect and improve our public schools.

Sincerely,

<Local President Name>

<Local Association Name>

Letter 2:

Dear <DISTRICT SUPERINTENDENT/CONTACT>,

As we move into the new school year, we hope to continue building on our partnership in the pursuit of excellent public education in <District Name>. We share with you a deep commitment to advocating for our schools and our students.

We are writing to request an electronic list of the employees in the <INSERT UNIT DESCRIPTION >, so that we may reach out to them to ensure that they continue to be informed and effective ambassadors and advocates for our schools and our students.

We are requesting that the data be provided electronically, in Excel format, with the following fields:

- | | |
|------------------------------|----------------------|
| • First name | • Job title |
| • Last name | • Work location |
| • Employee ID number | • Current assignment |
| • Home address | • Work phone number |
| • Home telephone number | • Work email address |
| • Personal cell phone number | • Date of hire |
| • Personal email address | |

We look forward to working with you on this, and on protecting and preserving our system of public education for years to come. Please let me know if there are any questions, along with what the next steps should be to make this happen.

Sincerely,

<Local President Name>

<Local Association Name>