

**ILLINOIS NURSES ASSOCIATION**  
**105 W. Adams, Suite 2101**  
**Chicago, IL 60603**

<b>Section Name:</b> Economic and General Welfare	<b>Policy on:</b>  Fair Share Fee Objection Rights and Process	<b>Dates:</b>  Adopted: May 29, 1983  Revised: June 29, 1994  Reviewed: November 1, 2001  Reviewed: September 23, 2006
<b>Section Number:</b> 11.13.4		
<b>Authorized by:</b>  Commission on Economic and General Welfare		

**PURPOSE:**

To establish a procedure for represented nurses who pay fair share to exercise the right to object to the amount of fair share charged under Illinois State law.

**POLICY:**

A Registered Nurse who is not a member of INA but who pays a fair share fee for the purpose of collective bargaining representation by INA may object to the amount of the fair share fee according to the procedure provided below. INA will keep the fair share fees collected from the objecting RN in an interest bearing escrow account during the appeal procedure.

**PROCEDURE:**

1. INA will annually publish in Chart or mail all RNs paying the fair share fee a notice (see policy 11.13.2) of the fair share percentage for the previous year and how it was determined. This is the percentage of INA dues which are chargeable to non members determined by external audit.
2. RNs paying the fair share fee may object to the amount of the INA determined fair share fee by filing an appeal. The appeal must include the objectors name, address, phone number and a statement that he or she objects to the amount of the fair share fee. In order to be timely the appeal must be mailed or hand delivered to the INA Executive Director at 105 W. Adams, Suite 2101, Chicago, Illinois 60603 within 60 days of the notice being postmarked or published in Chart.

3. Upon receipt of a written objection INA will begin to place 100% of the Objector's fair share fees in an interest bearing escrow account. The fair share fees will remain in the escrow account until the objection is resolved or the appeal process completed and the money is distributed pursuant to the arbitrator's ruling.
4. The Executive Director/Designee will meet with the RN objector within thirty (30) days of receipt of an appeal to review the objectors appeal. Appeals from more than one RN may be consolidated at the discretion of the Executive Administrator. The Executive will respond to the objection at the meeting or in writing within ten (10) days of the meeting.
5. An RN objector not satisfied with the response of the Executive Director may make a timely request that the appeal be submitted for consideration by an impartial decision maker designated by the American Arbitration Association. A request will be considered timely if it is submitted in writing to the Executive Director within ten (10) days of the response of the Executive Director.
6. Upon receipt of a timely request, INA shall promptly ask the AAA to appoint an arbitrator to hold a hearing, and provide the AAA with a list containing the name and home address for each RN who has filed a timely objection. The hearing shall be held in Chicago Illinois at a location and on a date to be determined by the arbitrator. INA may elect to have any or all such appeals consolidated before the impartial decision maker selected.
7. Except as otherwise provided in this document, all matters relating to the arbitrator's determination of the percentage of the INA's expenditures for chargeable and non-chargeable activities including the selection of the arbitrator, the conduct of the hearing, and the issuance of the report, shall be dealt with in accordance with the AAA "Rules for Impartial Determination of Union Fees."
8. The arbitrator shall determine the proportion of INA expenditures in chargeable and non-chargeable categories under Illinois state law. After the hearing, the arbitrator will submit to INA and each objector a report indicating the percentage of such expenditures for the most recently completed fiscal year.
9. The percentage that the arbitrator determined were expended for chargeable activities during the most recently completed fiscal year shall then be applied to the INA dues to obtain a dollar figure. This dollar figure is the amount that objecting fee payers shall be required to pay for the current service fee year. In no event shall this figure exceed the INA determined fair share fee.
10. INA shall direct disbursement of all funds in the escrow account, including interest, to the proper parties in accordance with the arbitrator's decision.