

10-1121 KNOX V. SERVICE EMPLOYEES INTERNATIONAL UNION

DECISION BELOW: 628 F.3d 1115

LOWER COURT CASE NUMBER: 08-16645

QUESTION PRESENTED:

1. In *Teachers Local No. 1 v. Hudson*, this Court held that "[b]asic considerations of fairness, as well as concern for the First-Amendment rights at stake, ... dictate that the potential objectors be given sufficient information to gauge the propriety of the union's [agency] fee" extracted from nonunion public employees. 475 U.S. 292, 306 (1986).

May a State, consistent with the First and Fourteenth Amendments, condition employment on the payment of a special union assessment intended solely for political and ideological expenditures without first providing a *Hudson* notice that includes information about that assessment and provides an opportunity to object to its exaction?

2. In *Lehnert v. Ferris Faculty Ass'n*, this Court held that "the State constitutionally may not compel its employees to subsidize legislative lobbying or other political union activities outside the limited context of contract ratification 01' implementation." 500 U.S. 507, 522 (1991) (opinion of Blackmun, J.); *accord id.* at 559 (opinion of Scalia, J.) (concurring as to "the challenged lobbying expenses").

May a State, consistent with the First and Fourteenth Amendments, condition continued public employment on the payment of union agency fees for purposes of financing political expenditures for ballot measures?

CERT. GRANTED 6/27/2011