

## **Types of Check-Off**

**Check-Off by Negotiation.** Check-off is something the local union can negotiate, just like any other contractual demand. The most common issue when negotiating check-off through automatic payroll deduction is who will bear the cost of implementing and maintaining payroll deduction. Federal law requires that the union pay the costs of establishing and maintaining the payroll deduction plan. Still, the FEC has stated that the negotiating parties can agree in their collective bargaining agreement that:

- The employer has estimated the payroll deduction plan in advance
- The employer has incorporated the cost into the collectively bargained wage and benefits package

If a local union believes an employer is trying to charge fees over implementation and maintenance, the business manager should contact the IBEW Government Affairs Department or seek legal counsel.

**Check-Off on Demand.** Suppose an employer or any of its subsidiaries, branches, divisions, or affiliates uses payroll deduction to collect political contributions. These deductions can be from non-bargaining employees or shareholders. In that case, the local union has the right to payroll deduction for members who contribute to the IBEW PAC. The local union is also entitled, by law, to use any method of soliciting contributions that the employer uses. Just like check-off by negotiation, when establishing check-off by demand, an employer may charge the local union the cost of implementing and maintaining payroll deduction.

After confirming that an employer uses payroll deduction to collect political contributions, the local union must make a written request to the employer to establish its payroll deduction system.

Federal law requires an employer with payroll deduction to comply with the local union's request for its payroll deduction system. If an employer refuses the local union's request, there are remedies for this violation of federal law. For further information and assistance in this situation, don't hesitate to contact the IBEW Government Affairs Department or your legal counsel.