



CHARGE OF ILLEGAL CONTRIBUTION(S) UNDER THE PUBLIC EMPLOYE RELATIONS ACT

Mary Trometter
COMPLAINANT

v.

Pennsylvania State Education Association - National Education Association
RESPONDENT

CASE NO. PERA-M-14-366-E
DATE FILED November 18, 2014 (Amended January 23, 2017)

JAN 23 2017

TO THE HONORABLE, THE MEMBERS OF THE PENNSYLVANIA LABOR RELATIONS BOARD:

COMPLAINANT INFORMATION

<u>Mary Trometter</u> Public Employee, Employee Organization or Public Employer		
<u>David R. Osborne</u> Name of Person filing charge on behalf of Complainant	<u>President & General Counsel, The Fairness Center</u> Title	
<u>1420 Lafayette Parkway</u> Address		
<u>Williamsport</u> City	<u>Pennsylvania</u> State	<u>17701</u> Zip
<u>844-293-1001</u> Telephone		

HEREBY CHARGES THAT:

RESPONDENT INFORMATION

<u>Pennsylvania State Education Association - National Education Association</u> Public Employer, Employee Organization or Public Employee		
<u>400 North Third Street, P.O. Box 1724</u> Address		
<u>Harrisburg</u> City	<u>Pennsylvania</u> State	<u>17101</u> Zip
<u>717-255-7000</u> Telephone		

HAS ENGAGED IN ILLEGAL CONTRIBUTION(S) CONTRARY TO THE PROVISIONS OF THE PUBLIC EMPLOYE RELATIONS ACT, SECTION 1701

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SPECIFICATION OF CHARGES (AMENDED)

As a PSEA union member at the time of the charges outlined below, I paid dues to the NEA, PSEA, and the local affiliate.

1. On October 31, 2014, my husband received the attached letter jointly signed by the Pennsylvania State Education Association ("PSEA") and National Education Association ("NEA"). The letter urges my husband "as the family member of an educator" to vote for Tom Wolf for Governor. (Exh. A). In directly or indirectly funding the letter to my husband, the NEA has made a "contribution out of the funds of the employe organization either directly or indirectly to any political party or organization or in support of any political candidate for public office," as prohibited by section 1701 of the Public Employe Relations Act.
2. According to the NEA Advocacy Fund's 2014 12-Day Pre-Election FEC Form 3X (Exh. B), the NEA contributed \$12,514,151.58, including union dues money, to the NEA Advocacy Fund, an independent expenditure-only political action committee. In doing so, the NEA has made a "contribution out of the funds of the employe organization either directly or indirectly to any political party or organization or in support of any political candidate for public office," as prohibited by section 1701 of the Public Employe Relations Act.
3. In November 2014, the PSEA's dues-funded magazine, PSEA Voice, was used to support Tom Wolf for Governor. (Exh. C). The PSEA takes \$4.25 from each member, state-wide, to pay for the PSEA Voice. (Exh. C, p. 2). In funding the PSEA Voice--the November issue in particular--the PSEA has made a "contribution out of funds of the employe organization either directly or indirectly . . . in support of any political candidate for public office" and has "wilfully violat[e]d" section 1701 of the Public Employe Relations Act.

WHEREFORE, the Complainant respectfully requests the Pennsylvania Labor Relations Board to enter the charge upon the Docket of the said Board and to issue and cause to be served upon the Respondent above named a Complaint stating the charge(s) of illegal contribution(s).

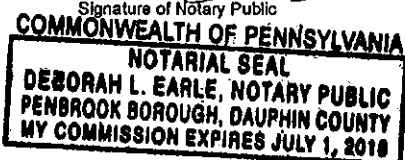
COMMONWEALTH OF PENNSYLVANIA :
 :
COUNTY OF DAUPHIN : ss

On this 23RD day of January, 2017, before me, a NOTARY PUBLIC, in and for said County and State, personally appeared DAVID R. OSBOURNE who being duly sworn according to law, deposes and says that he/she is the person filing the foregoing CHARGE OF ILLEGAL CONTRIBUTION(S) and is aware of the contents hereof and that the matters and facts set forth herein are true and correct to the best of his or her knowledge, information and belief.

SWORN AND SUBSCRIBED TO before me
the day and year first aforesaid.

Deborah L. Earle
Signature of Notary Public

David R. Osborne
Signature of Complainant or Representative



CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Amended Charge of Illegal Contributions was served on all counsel of record via United States mail:

Katherine M. Voye, Esq.
Pennsylvania State Education Association
400 North Third Street
P.O. Box 2225
Harrisburg, PA 17105-2225

Jason Walta, Esq.
National Education Association
1201 16th Street, N.W., 8th Floor
Washington, D.C. 20036

Charles O. Beckley, II, Esq.
BECKLEY & MADDEN, LLC
212 North Third St., Suite 301
P.O. Box 11998
Harrisburg, PA 17108-1998

Dated: January 23, 2017



David R. Osborne
Pa. Attorney I.D. No. 318024
Karin M. Sweigart
Pa. Attorney I.D. No. 317970
THE FAIRNESS CENTER
225 State Street, Suite 303
Harrisburg, PA 17101
844-293-1001
david@fairnesscenter.org
karin@fairnesscenter.org

Counsel for Complainant