



STATE OF ILLINOIS  
COMPTROLLER  
SUSANA A. MENDOZA

# PAYROLL BULLETIN

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TO: All State Agencies, Boards and Commissions  
FROM: Marvin Becker, Assistant Comptroller – Operations  
DATE: June 28, 2018  
Subject: Fair Share Fees  
Number: 5-18

Please be advised that the United States Supreme Court issued a decision on June 27, 2018 in the case of Janus v. AFSCME Council 31. The Court ruled that employees covered under a collective bargaining agreement, but whom are not members, are not obligated to pay fair share fees. The Illinois Office of the Comptroller advises agencies to conform your payrolls, as soon as feasible, to comply with this decision. Additional guidance may be provided by our office pending directives from the lower courts.

Specifically, based on this ruling, agencies should remove fair share fee amounts for those employees that are coded a “2” in the union member status code field, byte 241. The union member status code “2” identifies employees that are non-union members but have coverage under a collective bargaining agreement. Further information regarding the payroll file layout may be found in the SAMS Manual (Procedure 23.20.50) on the Comptroller’s website.

Due to this Supreme Court decision, agencies may see an increase in employees covered under a collective bargaining agreement submitting dues deduction cards. As a reminder, the State Salary and Annuity Act (5 ILCS 365/3) requires a department to direct the deduction from the employee’s salary when authorized in writing by the employee. The Janus decision does not require union member employees to take a new affirmative action to have dues deducted from their wages. Therefore, employees who have already authorized dues to be deducted should expect those deductions to continue without interruption.

Agencies may access this and other Payroll, SAMS and Accounting Bulletins on the Comptroller’s website at [www.illinoiscomptroller.gov/agencies](http://www.illinoiscomptroller.gov/agencies). If you have any questions regarding this bulletin, please contact our payroll office at (217) 782-4758.