

Update: Janus Files Petition for Appeal to the Supreme Court Seeking to Overrule Abood

Labor & Employment Law Update

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As previously reported on March 29th, the fight against the Supreme Court's 1977 decision in *Abood v. Detroit Board of Education* continues. On June 6, 2017, Mark Janus, an Illinois state employee who is required to pay agency fees to AFSCME Council 31 pursuant to the Illinois Public Labor Relations Act, filed a petition for a writ of certiorari seeking review of a seventh circuit decision that affirmed the dismissal of his complaint. The petition poses the following question to the Supreme Court: should *Abood* be overruled and public sector agency fee arrangements declared unconstitutional under the First Amendment?

The State of Illinois and AFSCME have 30 days to file their response to Janus' petition for review. The Supreme Court is expected to consider the petition in late September, when the Justices return from their summer recess. If review is granted, the case would likely be argued in early 2018, with a decision due approximately a year from now.