



**PRESS RELEASE from
LIBERTY JUSTICE CENTER**

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UMass law professor sues to end Massachusetts law giving unions 'exclusive representation'

BOSTON (Oct. 5, 2021) — University of Massachusetts School of Law professor Richard Peltz-Steele filed a federal lawsuit against UMass Faculty Federation, the university president and state officials to defend his right to free speech and freedom of association.

Peltz-Steele is a Chancellor Professor at the University of Massachusetts School of Law at Dartmouth, where he teaches torts and media-related topics. While he is a member of the bargaining unit represented by the UMass Faculty Federation, he is not a member of the union. Peltz-Steele is fighting Massachusetts' illegal mandate that the faculty union can exclusively represent him in all in salary negotiations, grievance procedures and other matters. He is represented by attorneys at the Liberty Justice Center, a nonprofit law firm known for its landmark Supreme Court victory for free speech in *Janus v. AFSCME*.

"The Supreme Court has made it clear that a law commanding involuntary affirmation of objected-to beliefs is unconstitutional," said **Jeffrey Schwab, managing attorney at the Liberty Justice Center**. "Massachusetts' insistence that UMass Faculty Federation, an organization Professor Peltz-Steele is not a member of, speak on his behalf without his permission is a clear infringement of his rights."

Financial losses to the university during the COVID-19 crisis led to an employee-wide salary cut in 2020. The cut initially proposed by the university was 5% across the board. However, the union demanded a "progressive" structure that created different pay cuts depending on salary level. Ultimately, the established formula shaved 12% off Peltz-Steele's pay for the year.

In October 2020, Peltz-Steele contacted the Dean of the Law School to inquire about filing a grievance, only to be told that the union's Collective Bargaining Agreement essentially barred him from doing so without the union's approval.

"Massachusetts and UMass Dartmouth have stripped me of my right to represent myself and my interests and handed it over to a private organization," said **Peltz-Steele**. "I am not a member of the union and I do not give them permission to represent me and rashly agree to unreasonable terms that affect my livelihood. The Commonwealth cannot suspend my free speech rights to streamline negotiations."

Peltz-Steele v. UMass Faculty Federation was filed Sept. 28, 2021, in U.S. District Court of the District of Massachusetts. Case filings are available here:

<https://libertyjusticecenter.org/media/umass>.

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The Liberty Justice Center is a nonprofit, public-interest litigation center that fights to protect fundamental constitutional rights. The Liberty Justice Center is best known for its 2018 U.S. Supreme Court victory in *Janus v. AFSCME*. Learn more about the Liberty Justice Center at

LibertyJusticeCenter.org.