**Section 1125.20 Notice of Fair Share Fees**

a) At least 14 calendar days prior to commencement of payroll deductions of fair share fees, the exclusive representative shall provide notice to all nonmembers of the fair share fee and the right to file an objection. The notice shall be provided to nonmembers in a manner calculated to provide proper notice, which may include personal delivery, notice by mail, or notice by posting in a place where employee notices are customarily posted or, if no such place exists, posting in a conspicuous place. The notice of the fair share fee may also be provided to nonmembers electronically unless otherwise requested.

b) Notice shall be on a form developed by the Board or a form developed by the exclusive representative and shall contain the following information:

1) the names of the employer and exclusive bargaining representative;

2) the effective date and duration of the collective bargaining agreement authorizing the fair share fee;

3) the amount of the fair share fee, expressed either as a dollar amount or as a percentage of regular union dues, and the period for which it is assessed;

4) a description of how the fair share fee was calculated, including the major categories of expenses made by the exclusive representative during the most recent fiscal year, verified by an independent auditor;

5) a statement that the nonmember has the right under the Act to object to the amount of the fee by filing an objection with the Board and that the nonmember can obtain additional information about the objection procedure from the Board; and

6) a statement advising fee payers that employees who object to payment of a fair share fee because of *bonafide religious tenets* *or teaching of a church or religious body of which such employees are members may pay an amount equal to their proportionate share, determined under a proportionate share agreement, to a non-religious charitable organization* (Section 11 of the Act). When the union and employee are unable to agree on the non-religious charitable organization, the organization will be determined pursuant to the procedures in Section 1125.80(i).

c) Whenever there is a change in the amount of the fair share fee, an updated notice shall be provided to nonmembers in a manner consistent with subsection (a).

d) Upon request, the employer shall give the exclusive representative access to appropriate bulletin boards and other locations for purposes of posting the notice required by this Section.

e) The exclusive representative shall certify in writing to the employer that notice has been provided to nonmembers in accordance with this Section. No payroll deductions of fair share fees shall be made until at least 14 calendar days after that certification.

f) Once notice of the fair share fee has been provided to a newly hired employee in accordance with this Section, fair share fees may be collected from the employee 14 calendar days after the employee's first day of employment.

g) Compliance with this Section does not mean that the exclusive representative has complied with all legal notice requirements as may be required by judicial decisions. The legal responsibility for providing adequate notice remains with the exclusive representative.

(Source: Amended at 41 Ill. Reg. 10628, effective August 1, 2017)