

ORGANIZATION OF STAFF ANALYSTS

AGENCY SHOP FEE PROCEDURE

(Regular, Annual, Analyst Advance Insert)

1. Any non-member, agency shop fee payer (hereafter "objector") who objects to the expenditure of any portion of his or her agency fee payments for activities or causes of a political or ideological nature only incidentally related to terms and conditions of employment shall, at the time the agency shop is implemented, or any time thereafter, make his or her objections known by writing to the Chairperson, Organization of Staff Analysts, 220 East 23rd Street, Suite 707, New York, New York 10010, by certified mail, return receipt requested. The objector must include his or her name, home address, Social Security number, job title, employing agency and work location.
2. Notice of the agency shop fee procedure shall be published in the OSA newsletter, "The Analyst Advance," in the issue following the signing of an agency shop agreement with any public employer, and thereafter, annually in the issue next preceding April 1 of each year. The front page of the issue shall contain a conspicuous notice that the procedure is included in that issue. The notice shall contain a summary of the agency shop fee procedure in sufficient detail to enable any potential objector to comply with its provisions.
3. Upon receiving such written objection, OSA will pay to the objector an advance rebate amount to be determined in accordance with Paragraph 6. At the same time, OSA will furnish to the objector a copy of this procedure and a copy of the itemized audited statement for the year in which the rebate, if any, is calculated, including identification of those items determined to be for such political or ideological causes and identification of those items determined not to be for political or ideological causes.
4. By April 1 of each year, the treasurer, based upon the independent audit, shall determine that amount of expenditures made by OSA for the preceding calendar year, and shall calculate the portion of such expenditures made for such political or ideological causes and identification of those items determined not to be for political or ideological causes.
5. If no amount has been spent for such political or ideological purposes in the previous calendar year, OSA shall advise the objector accordingly, and furnish to him or her an itemized audited statement of the expenditures for the previous year in sufficient detail so that the objector may determine if he or she disagrees with the conclusion that no expenditures have been made for political or ideological purposes.
6. The amount to be rebated shall be a reasonable estimate of the objector's pro-rata share of expenditures made for political and ideological purposes and shall be based upon the amount spent for such purposes by OSA in the previous calendar year, if any, based upon the independent audit, together with projections made by the OSA executive board for such expenditures in the current calendar year, if any, plus 10 percent.
7. If the objector is dissatisfied with the amount rebated, on the ground that it does not accurately reflect his or her pro-rata portion of the amount spent by OSA for political or ideological purposes or that a particular expenditure or expenditures should have been excluded from the computations of the agency fee because they were made for political or ideological purposes only incidentally related to terms and conditions of employment, he or she shall send a challenge to the Chairperson in writing at the address stated in Paragraph 1. The challenge shall include the name, home address, Social Security number, job title, employing agency and work location. The Chairperson will promptly submit the matter to impartial arbitration. The arbitrator shall be jointly selected, by the objector and OSA, from a list to be furnished by the New York City Office of Collective Bargaining and the arbitrator's fee shall be paid by OSA.
8. Upon receipt of a written challenge pursuant to Paragraph 7, OSA will promptly place an amount equal to 100% of the challenger's agency fee minus the advance rebate in an interest bearing escrow account. The escrowed amount will be independently verified and remain in escrow pending the conclusion of the arbitration.

PLEASE NOTE: Nothing has been spent by OSA for political expenses in 2011.