

September 2, 2003

M.B. McCarthy
President
ACRE Local Division 9
420 Lexington Avenue
Suite 215
New York, NY 10017

Dear Mike:

As a member in good standing of the Association of Commuter Rail Employees (ACRE) Local Division 9, I object to the amount of dues money which I pay to ACRE Local Division 9, currently \$80.00 per month. This dues payment is a mandatory payroll deduction (as specified under our Bylaws) which is deducted from my paycheck on the first day of each month by Metro-North Railroad and forwarded to ACRE Local Division 9.

No dues objection policy is mentioned or included anywhere in our ACRE Constitution or Local Division 9 Bylaws which were forwarded to me. No dues objection policy is stated in our Bylaws under Article VIII, Section 1: Dues and Assessments. Does the ACRE have a dues objection policy? If so, where can this policy be found? Why was this policy not included in our ACRE Constitution and/or Local Division 9 Bylaws? If no policy currently exists, then why not? Do ACRE members have the right to object to the amount of dues which we are required to pay the ACRE, how it is spent and where it goes? Have any other dues objection issue(s) been raised before?

Since I can not find any mention of a dues objection policy in any of the ACRE documentation which was provided to me by the ACRE, I will just state my case. I believe ACRE members should only be required to pay for the financial core obligation of the ACRE. ACRE membership contributions should be limited to union activities which are germane to collective bargaining, contract administration and grievance adjustment.

Dues objecting ACRE members should not be required to pay for any costs associated with organizing employees from other crafts or railroads, lobbying for labor legislation and participating in social, charitable and political events.

Please provide me with a detailed breakdown of all union expenditures, listing those which are chargeable to all ACRE members and those which are chargeable only to dues objecting ACRE members. This breakdown should include a certification by an accountant that the amounts listed are actually expended. This detailed breakdown and certification should include the portion of my dues which is forwarded to the ACRE Executive Board by Local Division 9.

My dues objection is to be effective with the receipt of this letter and reflected in the October dues deduction taken from my paycheck by Metro-North Railroad.

Within ten days from the receipt of this letter, all of the above information should be provided to me.

Sincerely,

James W. Ekberg

Sent via certified mail