

2024 Regular Session

HOUSE BILL NO. 523

BY REPRESENTATIVE WILDER

LABOR/COLLECTIVE BARGAIN: Provides relative to the election of a collective bargaining representative

1 AN ACT

2 To enact R.S. 23:988, relative to collective bargaining; to provide definitions; to provide for  
3 an election to certify a collective bargaining representative; to provide an exception  
4 for law enforcement and firefighter services; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:988 is hereby enacted to read as follows:

7 §988. Collective bargaining

8 A. In this Section, unless the context clearly indicates otherwise, the  
9 following terms shall have the meanings ascribed to them:

10 (1) "Collective bargaining representative" means a labor organization that  
11 engages in collective bargaining on a collective bargaining unit's behalf.

12 (2) "Collective bargaining unit" means a group of public employees  
13 represented by a single labor organization for purposes of collective bargaining.

14 (3) "Labor organization" means any organization of any kind, or agency or  
15 employee representation committee, which exists for the purpose, in whole or in part,  
16 of dealing with employers concerning wages, rates of pay, hours of work, or other  
17 conditions of employment.

18 (4) "Public employee" means any individual who is employed by a public  
19 employer.

1           (5) "Public employer" means the state of Louisiana or any branch,  
2           department, division, agency, authority, or parish, city, town, school board, or any  
3           political subdivision of this state.

4           (6) "Third-party election facilitator" means an entity that, as part of the  
5           entity's operations, provides impartial election administration, including ballot  
6           preparation, tabulation, and results certification.

7           B.(1) Beginning August 1, 2024, and every second calendar year thereafter,  
8           a collective bargaining representative shall, at the collective bargaining  
9           representative's expense, engage a third-party election facilitator to conduct a secret  
10          ballot election to certify the collective bargaining representative.

11          (2) The third-party election facilitator shall conduct the election no later than  
12          December first.

13          C.(1) If, in an election, at least sixty percent of all employees in the  
14          collective bargaining vote in favor of certifying the collective bargaining  
15          representative, the collective bargaining representative may continue to serve as the  
16          representative of the collective bargaining unit.

17          (2) If, in an election, less than sixty percent of all employees in the collective  
18          bargaining unit vote in favor of certifying the collective bargaining unit and the  
19          collective bargaining unit is unrepresented in collective bargaining as of January  
20          first, immediately following the election, or the second January first following the  
21          election, whichever occurs later, the provisions of Paragraph (3) of this Subsection  
22          apply.

23          (3) A collective bargaining unit that votes not to certify a collective  
24          bargaining representative as provided for in Paragraph (2) of this Subsection, the  
25          representative shall not be included in a substantially similar collective bargaining  
26          unit for twelve months after the day on which the collective bargaining  
27          representative's representation ceases.

28          D. Nothing in this Section shall provide a public employee a right to  
29          collective bargaining.

1                    E. The provisions of this Section shall not apply to law enforcement and  
2                    firefighter services.

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## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 523 Original

2024 Regular Session

Wilder

**Abstract:** Provides relative to collective bargaining.

Proposed law defines "collective bargaining representative", "collective bargaining unit", "labor organization", "public employee", "public employer", and "third-party election facilitator".

Proposed law provides that beginning August 1, 2024, and every second calendar year thereafter, a collective bargaining representative shall, at the collective bargaining representative's expense, engage a third-party election facilitator to conduct a secret ballot election to certify the collective bargaining representative.

Proposed law the third-party election facilitator shall conduct the election no later than December 1st.

Proposed law provides that if, in an election, at least 60% of all employees in the collective bargaining vote in favor of certifying the collective bargaining representative, the collective bargaining representative may continue to serve as the representative of the collective bargaining unit.

Proposed law provides that if, in an election, less than 60% of all employees in the collective bargaining vote in favor of certifying the collective bargaining representative and the collective bargaining is unrepresented in collective bargaining as of January 1<sup>st</sup>, immediately following the election, or the second January 1<sup>st</sup> following the election, whichever occurs later, the provisions of proposed law (R.S. 23:988 (C)(3)) shall apply.

Proposed law provides that if a collective bargaining unit votes not to certify a collective bargaining representative, the representative shall not be included in a substantially similar collective bargaining unit for 12 months after the day on which the representative's representation ceases.

Proposed law provides that nothing in the provisions of proposed law shall provide a public employee a right to collective bargaining.

Proposed law exempts law enforcement and firefighter services from the applicability of proposed law.

(Adds R.S. 23:988)