

2024 Regular Session

SENATE BILL NO. 299

BY SENATOR SEABAUGH

EMPLOYMENT. Provides relative to right to work policies. (8/1/24)

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AN ACT

To amend and reenact R.S. 23:984(D) and to enact R.S. 23:984(E), relative to contracts; to provide relative to state policy on labor relations matters and employee freedom of choice; to prohibit any interference with employers' and employees' full exercise of their rights as provided under the federal labor laws; to provide restrictions relative to labor unions and other employee associations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 23:984(D) is hereby amended and reenacted and R.S. 23:984(E) is hereby enacted to read as follows:

§984. Certain agreements declared illegal; governmental interference prohibited; policy

~~A. Any agreement, contract, understanding or practice, written or oral, implied or expressed, between any employer and any labor organization in violation of the provisions of this Part is hereby declared to be unlawful, null and void, and of no legal effect.~~

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D. No state or local governmental body, or its members, officers or

1 **agents, shall recognize any labor union or other association of employees as**
2 **collective bargaining or meet and confer agents for the purpose of entering into**
3 **any collective bargaining contract or memorandum of understanding that**
4 **outlines the terms and conditions of employment with labor unions or any other**
5 **association of employees, including its members, officers or agents, related to**
6 **employment services.**

7 ~~DE~~. For the purposes of this Section:

8 (1) "Employer" means a person, association, or legal or commercial entity
9 receiving services from an employee and, in return, giving compensation of any kind
10 to such employee.

11 (2) "Federal labor laws" means the National Labor Relations Act and the
12 Labor Management Relations Act, hereinafter collectively referred to as "the Acts",
13 presidential executive orders issued relating to labor/management or
14 employee/employer issues and the United States Constitution as amended and as
15 construed by the federal courts. The rights protected under the federal labor laws
16 include but are not limited to:

17 (a) An employer's or employee's right to express views on unionization and
18 any other labor relations issues to the full extent allowed by the First Amendment of
19 the United States Constitution and Section 8(c) of the National Labor Relations Act.

20 (b) An employer's right to demand, and an employee's right to participate in,
21 a secret ballot election under the Acts, including without limitation, the full
22 procedural protections afforded by the Acts for defining the unit, conducting the
23 election campaign and election, and making any challenges or objections thereto.

24 (c) An employer's right to not release employee information to the maximum
25 extent allowed by the Acts.

26 (d) An employee's right to maintain the confidentiality of his or her employee
27 information to the maximum extent allowed by the Acts.

28 (e) An employer's right to restrict access to its property or business to the
29 maximum extent allowed by the Acts.

1 (3) "Governmental body" means any local government or its subdivision,
 2 including but not limited to cities, parishes, municipalities, and any public body,
 3 agency, board, commission or other governmental, quasi governmental, or quasi
 4 public body or any body that acts or purports to act in a commercial, business,
 5 economic development, or like capacity of local government or its subdivision.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Yoursheka D. Butler.

	DIGEST	
SB 299 Original	2024 Regular Session	Seabaugh

Present law provides that any agreement, understanding, or practice in any form between any employer and labor organization made in violation of certain provisions of law is not enforceable.

Proposed law retains present law and adds that labor unions and other employee associations cannot be recognized as collective bargaining or meet and confer agents for the purpose of entering into collective bargaining contracts or memorandums of understanding that outlines the terms and conditions of employment with labor unions or any other association of employees related to employment services.

Effective August 1, 2024.

(Amends R.S. 23:984(D); adds R.S. 23:984(E))