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## DIGEST

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HB 980 Original

2024 Regular Session

Crews

**Abstract:** Allows teachers or other school employees from certain governing bodies to withdraw from paying labor organization dues and allows public employees to withdraw from paying labor organization dues.

### TEACHERS AND OTHER SCHOOL EMPLOYEES

Present law allows a teacher or other employee of a parish or city school board to authorize his employing school board to deduct and withhold from his earnings a specific amount for the payment of labor organization dues.

Proposed law retains present law.

Present law prohibits deductions from a teacher's or other employee's earnings, unless 50 or more teachers or other employees or 10% of the total number of employees, including teachers, whichever is less, and such deduction is specifically and voluntarily authorized in writing by the teacher or other employee.

Proposed law retains present law.

Present law provides that present law shall not apply to a city or parish school board operating under the terms of a collective bargaining agreement applicable to teachers employed by the board.

Proposed law retains present law.

Proposed law requires a state, parish, city, local school board, or any other governmental agency, notify the employee of his right to cease payment of member organization dues. Proposed law further requires the agency to provide written or email notification, at least annually, to the employee to inform him that he can withdraw from the organization.

Proposed law provides that all authorizations shall be on a form prescribed by the employer and contain the following statement in 14-point boldface font.

"The state of La. wishes to inform you that you have a 1<sup>st</sup> Amendment right to join or refrain from joining and paying dues to an association. Membership and payment of dues are voluntary and you may not be discriminated against for your decision or your refusal to join or financially support an association. You may authorize your employer to deduct

association dues from your salary in the amounts specified in accordance with an association's bylaws. You may revoke this authorization at any time."

Proposed law requires all authorizations to be submitted to the employer and contain the employee's full name, position, employee organization, and signature.

Proposed law requires, before starting any deductions, the employer to confirm the authorization by emailing the employee at his employer-provided email address and the employer shall wait for confirmation of the authorization.

Proposed law provides that if the employee does not possess an employer-provided address then the employer may use other means it deems appropriate to confirm the authorization.

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

## **PUBLIC EMPLOYEES**

Present law provides that any state, parish, or city employee may authorize his employing department, board, or agency to withhold from his salary a specific amount for the designated pay periods for payment of labor organization dues.

Proposed law retains present law.

Proposed law provides that upon submission of a written or electronic request to the employer, the employee shall have the right to immediately cease the withholding of dues from his wages. Proposed law further provides, upon receipt of a request to withhold, the employer shall immediately provide written or electronic notification to the labor organization or union of the employee's decision.

Proposed law requires, upon receipt of the notification required by proposed law, the employer to cease any withholding of dues from the employee's wages. Proposed law provides that the employee shall not accrue any further debt to the labor organization or union, and that his right to immediately discontinue any financial obligation to the labor organization or union shall not be waived.

Proposed law provides that proposed law shall apply prospectively to any new collective bargaining agreement or contract that is entered into or any existing collective bargaining agreement that is modified, extended, or otherwise affected by a new or modified memorandum of understanding.

Proposed law requires the employer to provide written or email notification, at least annually, advising the employee of his right to cease payment of association dues and to withdraw membership from the labor organization or union.

Proposed law provides that all authorizations shall be on a form prescribed by the employer and contain the following statement in fourteen-point boldface font.

"The state of La. wishes to inform you that you have a 1<sup>st</sup> Amendment right to join or refrain from joining and paying dues to an association. Membership and payment of dues are voluntary and you may not be discriminated against for your decision or your refusal to join or financially support an association. You may authorize your employer to deduct association dues from your salary in the amounts specified in accordance with an association's bylaws. You may revoke this authorization at any time."

Proposed law requires all authorizations to be submitted to the employer and contain the employee's full name, position, employee organization, and signature.

Proposed law prohibits the employer from deducting any portion of an employee's salary for payment of labor organization or union dues without emailed receipt of confirmation of the employee's authorization from the employee's employer-provided email address.

Proposed law provides that if the employee does not possess an employer-provided address then the employer may use other means it deems appropriate to confirm the authorization.

Proposed law provides that provisions of proposed law (R.S. 42:457(B)(4)) shall become applicable after Aug. 1, 2024.

(Amends R.S. 42:457; Adds R.S. 17:438(E) and (F))