

2025 Regular Session

HOUSE BILL NO. 293

BY REPRESENTATIVE MELERINE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LABOR: Provides relative to the resignation from labor organization dues or fees for teachers and other school employees and public employees

1 AN ACT

2 To amend and reenact R.S. 42:457 and to enact R.S. 17:438(E) through (G), relative to labor  
3 organizations; to provide for the resignation from labor organization dues or fees for  
4 teachers or other school employees; to provide for the resignation from labor  
5 organization and union dues or fees for public employees; to provide for collective  
6 bargaining agreements or contracts; to provide for applicability; to provide for  
7 reporting and notification requirements; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:438(E) through (G) are hereby enacted to read as follows:

10 §438. Permitted withholdings; exceptions

11 \* \* \*

12 E.(1) Upon the submission of a written or electronic request to the employer,  
13 the employee shall have the right to immediately cease the withholding of dues or  
14 fees from his wages. Upon receipt of a request to withhold, the employer shall  
15 immediately provide written or electronic notification to the labor organization or  
16 union of the employee's decision.

17 (2) Upon receipt of the notification provided for in Paragraph (1) of this  
18 Subsection, the employer shall cease any withholding of dues or fees from the  
19 employee's wages, and the employee shall not accrue any further debt to the labor

1 organization or union. The employee's right to immediately discontinue any  
2 financial obligation to the labor organization or union shall not be waived.

3 (3)(a) All authorizations for use of salary deductions for payment of labor  
4 organization or union dues or fees shall not exceed one year in duration and shall be  
5 renewed annually and upon any increase in the total amount of dues or fees per  
6 annum in order to remain effective. Any prior authorization for deductions for  
7 payment of labor organization dues or fees shall be deemed invalid.

8 (b) The employer shall not deduct dues or fees without a valid authorization  
9 and shall immediately cease deduction of dues or fees once authorization becomes  
10 invalid.

11 (4) This Section shall apply prospectively to any new collective bargaining  
12 agreement or contract that is entered into or any existing collective bargaining  
13 agreement that is modified, extended, or otherwise affected by a new or modified  
14 memorandum of understanding.

15 F.(1) A state, parish, city, local or charter school board, or any other  
16 governmental agency shall notify the employee of his right to cease payment of  
17 member organization dues or fees. The state, parish, city, local or charter school  
18 board, or any other governmental agency shall provide written or email notification,  
19 at least annually, to the employee to inform him that he can withdraw from the  
20 organization.

21 (2) All authorizations shall be on a form prescribed by the attorney general  
22 and contain the following statement in fourteen-point boldface font:

23 "The state of Louisiana wishes to inform you that you have a First  
24 Amendment right to join or refrain from joining and paying dues or fees to a labor  
25 organization. Membership and payment of dues or fees are voluntary, and you may  
26 not be discriminated against for your decision or your refusal to join or financially  
27 support a labor organization. You may authorize your employer to deduct union  
28 dues or fees from your salary in the amount specified in accordance with the labor  
29 organization's bylaws. You may revoke this authorization at any time."

1           (3) All authorizations shall be submitted to the employer and contain the  
2           employee's full name, position, employee organization, and signature. Before  
3           starting any deductions, the employer shall confirm the authorization by emailing the  
4           employee at his employer-provided email address, and the employer shall wait for  
5           confirmation of the authorization before deducting any union dues or fees. If the  
6           employee does not possess an employer-provided address then the employer may use  
7           other means it deems appropriate to confirm the authorization.

8           G. The provisions of this Section shall not apply to law enforcement and  
9           firefighters.

10          Section 2. R.S. 42:457 is hereby amended and reenacted to read as follows:

11          §457. Union dues

12           A. Any state, parish, or city employee may authorize his employing  
13           department, board, or agency to withhold from his salary a specific amount for such  
14           pay periods as may be designated, for payment of his dues to any labor organization  
15           to which he belongs and which he designates therein. In such cases, the employee  
16           must voluntarily execute and furnish to the employing department, board, or agency  
17           a written and specific authorization for such deductions; however, the employing  
18           authority may elect whether or not to make such deductions. Any amount withheld  
19           in accordance with the provisions of this Section shall be remitted on a regularly  
20           scheduled basis as prescribed by rules promulgated by the Division of  
21           Administration and administered by the state payroll office to the organization  
22           designated.

23           B.(1) Upon the submission of a written or electronic request to the employer,  
24           the employee shall have the right to immediately cease the withholding of dues or  
25           fees from his wages. Upon receipt of a request to withhold, the employer shall  
26           immediately provide written or electronic notification to the labor organization or  
27           union of the employee's decision.

28           (2) Upon receipt of the notification provided for in Paragraph (1) of this  
29           Subsection, the employer shall cease any withholding of dues or fees from the

1 employee's wages, and the employee shall not accrue any further debt to the labor  
2 organization or union. The employee's right to immediately discontinue any  
3 financial obligation to the labor organization or union shall not be waived.

4 (3)(a) All authorizations for use of salary deductions for payment of labor  
5 organization or union dues or fees shall not exceed one year in duration and shall be  
6 renewed annually and upon any increase in the total amount of dues or fees per  
7 annum in order to remain effective. Any prior authorization for deductions for  
8 payment of labor organization dues or fees shall be deemed invalid.

9 (b) The employer shall not deduct dues or fees without a valid authorization  
10 and shall immediately cease deduction of dues or fees once authorization becomes  
11 invalid.

12 (4) This Section shall apply prospectively to any new collective bargaining  
13 agreement or contract that is entered into or any existing collective bargaining  
14 agreement that is modified, extended, or otherwise affected by a new or modified  
15 memorandum of understanding.

16 C.(1) The employer shall provide written or electronic notification, at least  
17 annually, advising the employee of his right to cease payment of organization dues  
18 or fees and to withdraw membership from the labor organization or union.

19 (2) All authorizations shall be on a form prescribed by the attorney general  
20 containing the following statement in fourteen-point boldface font:

21 "The state of Louisiana wishes to inform you that you have a First  
22 Amendment right to join or refrain from joining and paying dues or fees to a labor  
23 organization. Membership and payment of dues or fees are voluntary, and you may  
24 not be discriminated against for your decision or your refusal to join or financially  
25 support a labor organization. You may authorize your employer to deduct labor  
26 organization dues or fees from your salary in the amount specified in accordance  
27 with the labor organization's bylaws. You may revoke this authorization at any  
28 time."

1           (3)(a) All authorizations shall be submitted to the employer and contain the  
2           employee's full name, position, employee organization, and signature.

3           (b) The employer shall not deduct any portion of an employee's salary for  
4           purposes of payment of labor organization or union dues or fees without emailed  
5           receipt of confirmation of the employee's authorization from the employee's  
6           employer-provided email address. If the employee does not have an employer-  
7           provided email address the employer may use other means it deems appropriate to  
8           confirm the authorization.

9           D. The provisions of this Section shall not apply to law enforcement and  
10          firefighters.

11          Section 3. The provisions of R.S. 17:438(E)(4) and R.S. 42:457(B)(4) as enacted by  
12          Sections 1 and 2 of this Act shall become applicable after August 1, 2025, for any new  
13          collective bargaining agreement or contract that is entered into or any existing collective  
14          bargaining agreement that is modified, extended, or otherwise affected by a new or modified  
15          memorandum of understanding.

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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 293 Original

2025 Regular Session

Melerine

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

**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, request the deduction and the 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 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 or fees 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 or fees 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 prohibits authorizations used for salary deductions for payment of labor organization or union dues or fees from exceeding one year in duration. Proposed law requires the authorization to be renewed annually and upon any increase in the total amount of dues or fees per annum in order to remain effective.

Proposed law provides that any prior authorization for deductions for payment of labor organization dues or fees shall be deemed invalid.

Proposed law prohibits an employer from deducting dues or fees without a valid authorization and provides that the employer shall immediately cease deduction of dues or fees once authorization becomes invalid.

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 a state, parish, city, local or charter school board, or any other governmental agency, to notify the employee of his right to cease payment of member organization dues or fees. Proposed law further requires the aforementioned entities 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 attorney general 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 or fees to a labor organization. Membership and payment of dues or fees are voluntary, and you may not be discriminated against for your decision or your refusal to join or financially support a labor organization. You may authorize your employer to deduct union dues or fees from your salary in the amounts specified in accordance with the labor organization'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 before deducting any union dues or fees.

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 or fees 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 or fees 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 prohibits authorizations used for salary deductions for payment of labor organization or union dues or fees from exceeding one year in duration. Proposed law requires the authorization to be renewed annually and upon any increase in the total amount of dues or fees per annum in order to remain effective.

Proposed law provides that any prior authorization for deductions for payment of labor organization dues or fees shall be deemed invalid.

Proposed law prohibits an employer from deducting dues or fees without a valid authorization and provides that the employer shall immediately cease deduction of dues or fees once authorization becomes invalid.

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 organization dues or fees and to withdraw membership from the labor organization or union.

Proposed law provides that all authorizations shall be on a form prescribed by the attorney general 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 or fees to a labor organization. Membership and payment of dues or fees are voluntary, and you may not be discriminated against for your decision or your refusal to join or financially support a labor organization. You may authorize your employer to deduct union dues or fees from your salary in

the amounts specified in accordance with the labor organization'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 or fees 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 email 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.

Proposed law provides that provisions of proposed law (R.S. 17:438(E)(4) and 42:457(B)(4)) shall become applicable after Aug. 1, 2025.

(Amends R.S. 42:457; Adds R.S. 17:438(E)-(G))