

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 (H), 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; to require labor organizations or unions to
8 cover administrative costs incurred from the collection of dues or fees and for opting
9 out; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

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

12 §438. Permitted withholdings; exceptions

13 * * *

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

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

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

24 "The state of Louisiana wishes to inform you that you have a First
25 Amendment right to join or refrain from joining and paying dues or fees to a labor
26 organization. Membership and payment of dues or fees are voluntary, and you may
27 not be discriminated against for your decision or your refusal to join or financially
28 support a labor organization. You may authorize your employer to deduct union

1 dues or fees from your salary in the amount specified in accordance with the labor
2 organization's bylaws. You may revoke this authorization at any time."

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

10 G. The labor organization or union shall be responsible for all administrative
11 costs incurred from the collection of labor organization dues or fees or from an
12 employee opting out of the collection of labor organization dues or fees.

13 H. The provisions of this Section shall not apply to law enforcement and
14 firefighters.

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

16 §457. Union dues

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

28 B.(1) Upon the submission of a written or electronic request to the employer,
29 the employee shall have the right to immediately cease the withholding of dues or

1 fees from his wages. Upon receipt of a request to withhold, the employer shall
2 immediately provide written or electronic notification to the labor organization or
3 union of the employee's decision.

4 (2) Upon receipt of the notification provided for in Paragraph (1) of this
5 Subsection, the employer shall cease any withholding of dues or fees from the
6 employee's wages, and the employee shall not accrue any further debt to the labor
7 organization or union. The employee's right to immediately discontinue any
8 financial obligation to the labor organization or union shall not be waived.

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

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

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

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

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

26 "The state of Louisiana wishes to inform you that you have a First
27 Amendment right to join or refrain from joining and paying dues or fees to a labor
28 organization. Membership and payment of dues or fees are voluntary, and you may
29 not be discriminated against for your decision or your refusal to join or financially

1 support a labor organization. You may authorize your employer to deduct labor
2 organization dues or fees from your salary in the amount specified in accordance
3 with the labor organization's bylaws. You may revoke this authorization at any
4 time."

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

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

13 D. The labor organization or union shall be responsible for all administrative
14 costs incurred from the collection of labor organization dues or fees or from an
15 employee opting out of the collection of labor organization dues or fees.

16 E. The provisions of this Section shall not apply to law enforcement and
17 firefighters.

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

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)]

HB 293 Engrossed

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 1st 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 requires a labor organization or union to cover administrative costs incurred from the collection of labor organization dues or fees or costs incurred from an employee opting out of the collection of labor organization dues or fees.

Proposed law exempts law enforcement and firefighter services from 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 1st 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 requires a labor organization or union to cover administrative costs incurred from the collection of labor organization dues or fees or costs incurred from an employee opting out of the collection of labor organization dues or fees.

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

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

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

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Labor and Industrial Relations to the original bill:

1. Make title and technical changes.
2. Require labor organizations and unions to cover administrative costs incurred from the collection of labor organization dues or fees or costs incurred from an employee opting out of the collection of such dues or fees.