
DIGEST

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HB 185 Original

2016 Regular Session

Jay Morris

Abstract: Removes the authority for public employees and charter school employees to withhold payroll deductions for union dues, assessments, and other fees from their wages.

Present law (R.S. 17:438) provides that any teacher or school board employee may authorize the school board to deduct organization dues from his earnings.

Proposed law adds employees of any public charter school or any organization or entity with authority over employment decisions at a charter school.

Present law (R.S. 17:438) provides that no deductions can be made unless 50 such employees or 10% of the total number of employees (whichever is less) request the deduction. Proposed law repeals present law.

Proposed law (R.S. 17:438) provides that any teacher or other school employee may authorize payroll deductions that are allowed by proposed law (R.S. 42:456), which removes union dues as an authorized payroll withholding.

Present law (R.S. 23:890) provides for the labor policy when a municipality or transit authority acquires or operates a transportation facility.

Present law allows employees of the acquired facility to authorize deductions of wages and salaries for the following purposes:

- (1) Pursuant to a collective bargaining agreement with a duly designated or certified labor organization for the payment of union dues, fees, or assessments.
- (2) For the payment of contributions pursuant to any health and welfare plan or pension or retirement plan.
- (3) For any purposes for which deductions may be authorized by employees of any private employer.

Proposed law removes union dues as an authorized payroll withholding.

Present law (R.S. 42:456) authorizes state employee payroll withholdings for the following:

- (1) Mandated federal or state income withholdings, credit unions, garnishments, liens, union dues, savings bonds programs, qualified United Way entities, health and life insurance products offered through the Office of Group Benefits, products having state participating contributions, sponsored by the Office of Group Benefits, which qualify and are offered under Section 125 of the Internal Revenue Code (Cafeteria Plan).
- (2) Products offered without state contributory participation which have been evaluated and approved in accordance with rules and procedures promulgated by the commissioner of administration.

Proposed law removes union dues as an authorized payroll withholding, but allows any withholding expressly authorized by state or federal law.

Present law (R.S. 42:457) authorizes any state, parish, or city employee to withhold from his salary a specific amount for payment of his dues to any labor organization to which he belongs. Proposed law repeals present law.

Present law allows any employee of the state or of any political subdivision of the state to authorize his employer to withhold from his salary for payment of his dues to any professional state or local law enforcement or firefighter association. Proposed law repeals present law.

Proposed law provides for severability.

Proposed law specifies that nothing in proposed law affects any collective bargaining agreement before the effective date of proposed law but provides that any subsequent agreement after the expiration of any existing agreement may not allow union dues to be deducted from employees' payroll.

(Amends R.S. 17:438, R.S. 23:890(F) and (G), and R.S. 42:456(A)(1); Adds R.S. 42:456(C), (D), and (E); Repeals R.S. 42:457 and 457.1)