

House Bill 3231

Sponsored by Representative ESQUIVEL; Representatives FREEMAN, GARRARD, HICKS, JOHNSON, KRIEGER, OLSON, SHEEHAN, G SMITH, SPRENGER, THATCHER, WEIDNER, WHISNANT, WINGARD

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows state officer or employee who authorizes payment of moneys to labor organization through payroll deduction to designate political party to which moneys from deduction expended by organization for political purposes may be donated.

A BILL FOR AN ACT

1
2 Relating to the expenditure for political purposes of moneys collected from state employees by labor
3 organizations through payroll deduction; creating new provisions; and amending ORS 292.055.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 292.055 is amended to read:

6 292.055. (1) Upon receipt of the request in writing of a state officer or employee so to do, the
7 state official authorized to disburse funds in payment of the salary or wages of [*such*] **the** state of-
8 ficer or employee each month shall deduct from the salary or wages of [*such*] **the** officer or employee
9 the amount of money indicated in [*such*] **the** request, for payment [*thereof*] to a labor organization
10 as [*the same is*] defined in ORS 243.650.

11 (2) [*Such state official each month shall pay such amount so deducted to any such labor organ-*
12 *ization so designated to receive it.*] **The state official authorized to disburse funds in payment**
13 **of the salary or wages of an officer or employee requesting a deduction authorized under this**
14 **section shall pay monthly the amount deducted to the labor organization designated in the**
15 **request.**

16 (3) Unless there is a contract to the contrary, upon receipt of [*the request in writing of such of-*
17 *ficer or employee so to do, such state official shall cease making such deductions and payments.*] **a**
18 **written request to terminate a deduction from an officer or employee who had authorized a**
19 **deduction under this section, the state official authorized to make the deduction shall dis-**
20 **continue making the deduction.**

21 (4) In addition to making such deductions and payments to any labor organization certified un-
22 der the rules of the Employment Relations Board as representatives of employees in a bargaining
23 unit, any department, board, commission, bureau, institution or other agency of the state shall make
24 deductions for and payments to noncertified, yet bona fide, labor organizations, if requested to do
25 so by officers and employees in that department, board, commission, bureau, institution, or other
26 state agency, and for so long as the requests are not revoked. No deductions for and payments to
27 any labor organization under this section shall be deemed an unfair labor practice under ORS
28 243.672.

29 (5) Upon receipt from the Oregon Department of Administrative Services of a copy of a valid
30 fair-share agreement in a collective bargaining unit, the state official authorized to disburse funds

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 in payment of the salary or wages of the employees in such unit each month shall deduct from the
2 salary or wages of the employees covered by the agreement the in-lieu-of-dues payment stated in the
3 agreement and pay such amount to the labor organization **that is party to** the agreement in the
4 same manner as deducted dues are paid to a labor organization. Such deduction and payment shall
5 continue for the life of the agreement.

6 **(6)(a) An officer or employee who has authorized a payment to a labor organization under**
7 **this section may designate a major or minor political party to which that portion of the**
8 **payment that is expended by the labor organization for political purposes may be donated.**
9 **A designation made under this subsection must be renewed annually.**

10 **(b) As used in this subsection:**

11 **(A) "Major political party" means a political party that qualifies as a major political party**
12 **under ORS 248.006.**

13 **(B) "Minor political party" means a political party that qualifies as a minor political party**
14 **under ORS 248.008.**

15 **(C) "Political purposes" means those activities conducted by a labor organization that are**
16 **not related to charitable activities or collective bargaining, contract administration, griev-**
17 **ance adjustment procedures and other representational issues.**

18 **SECTION 2. The amendments to ORS 292.055 by section 1 of this 2011 Act apply only to**
19 **deductions authorized on or after the effective date of this 2011 Act.**

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