

**HB 2016 A STAFF MEASURE SUMMARY**

**Carrier:** Rep. Nearman

**House Committee On Business and Labor**

**Minority Report**

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**Action Date:** 03/18/19

**Action:** Do pass with different amendments. (Printed A-Eng.) Minority

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact

**Report Signers:** Rep. Greg Barreto, Rep. Daniel Bonham

**Prepared By:** Jan Nordlund, LPRO Analyst

**Meeting Dates:** 3/11, 3/18

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**WHAT THE MEASURE DOES:**

States findings of Legislative Assembly regarding freedom to join or remain union member and voluntary nature of union dues. Prohibits public employer from entering into union security agreement or taking any action that has effect of requiring employee to agree to become a union member, pay dues to a union or pay amount in lieu of dues to a third party, or deduct from pay any amount for payment to a union unless written authorization is provided. Directs district attorneys and Attorney General to investigate complaints of violations, prosecute violators, and take all available means to ensure effective enforcement of this Act. Provides remedies to individual harmed by violations. Applies to collective bargaining agreements entered into or renewed on or after effective date of Act.

**ISSUES DISCUSSED:**

- What is "reasonable" amount of paid time for designated representative to conduct union activity
- Whether employer could prohibit use of e-mail system for certain messages
- Whether provisions of measure should be negotiated instead of codified in statute
- Likelihood that collective bargaining agreements will need to be reopened
- Preference of employer to receive written authorization from employee before deducting dues and fees
- U.S. Supreme Court decision on *Janus v. AFSCME*

**EFFECT OF AMENDMENT:**

Replaces original measure.

**BACKGROUND:**

The Public Employee Collective Bargaining Act (PECBA), enacted in 1973, codifies the laws governing employment relations and public employers and employees in the state, counties, cities, school districts, transportation districts, and other local governments, as well as private employers not subject to the jurisdiction of the National Labor Relations Board. From the *Janus v. AFSCME* ruling by the U.S. Supreme Court, public sector unions may no longer extract agency fees from non-consenting employees; employees must clearly and affirmatively consent before any money is taken from them.