

HB 3009 B STAFF MEASURE SUMMARY

Carrier: Sen. Golden

Senate Committee On Workforce

Action Date: 05/23/19

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Golden, Hansell, Knopp, Monnes Anderson, Taylor

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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Meeting Dates: 5/21, 5/23

WHAT THE MEASURE DOES:

Allows labor organization to charge reasonable fees and costs to police officers, sheriffs, or deputy sheriffs for representing them in matters unrelated to negotiation of a collective bargaining agreement if employee is not a member of the union and has not entered into fair-share agreement. Applies to contracts and agreements entered into, renewed, or extended on or after effective date. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Necessity of legislation addressing union fees for nonmembers following *Janus v. AFSCME*
- Narrow application to police and sheriff's unions

EFFECT OF AMENDMENT:

Clarifies that employees who may be charged for representation are those in the bargaining unit who are not union members nor party to a voluntary fair-share agreement. Excludes collective bargaining agreements currently in effect from bill's requirements. Declares emergency, effective on passage.

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 deduct agency dues and fees from an employee unless the employee clearly and affirmatively consents.

The labor organization, serving as the exclusive representative, has the duty to represent all employees in the bargaining unit even if an employee is not a member of the union or does not pay a fair-share fee. House Bill 3009-B allows the exclusive representative of police officers, sheriffs, and deputy sheriffs to charge employees who are not members of the union or not paying fair-share fees the reasonable fees and costs for representation that is unrelated to negotiation of a collective bargaining agreement.