

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILLS NOS. 641 & 705

91ST GENERAL ASSEMBLY

Reported from the Committee on Labor and Industrial Relations, January 31, 2002, with recommendation that the Senate Committee Substitute do pass.

TERRY L. SPIELER, Secretary.

2756S.05C

AN ACT

To repeal section 105.510, RSMo, and to enact in lieu thereof one new section relating to union membership.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 105.510, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 105.510, to read as follows:

105.510. **1.** Employees, except police, deputy sheriffs, Missouri state highway patrolmen, Missouri national guard, all teachers of all Missouri schools, colleges and universities, of any public body shall have the right to form and join labor organizations and to present proposals to any public body relative to salaries and other conditions of employment through the representative of their own choosing, **except as provided in subsection 5 of this section.** No such employee shall be discharged or discriminated against because of his exercise of such right, nor shall any person or group of persons, directly or indirectly, by intimidation or coercion, compel or attempt to compel any such employee to join or refrain from joining a labor organization, except that the above excepted employees have the right to form benevolent, social, or fraternal associations. Membership in such associations may not be restricted on the basis of race, creed, color, religion or ancestry.

2. Notwithstanding the provisions of executive order 01-09, no payroll deduction shall be authorized for service fees to an appropriate unit of a labor organization.

3. No state employee will be required to pay a service fee or any kind of fee or charge to any labor organization in lieu of being a dues-paying member of that labor organization.

4. No employee will be required to join a labor organization to remain employed by the state and no individual will be required to join a labor organization to be eligible for employment by the state.

5. In addition to those employees noted in subsection 1 of this section and notwithstanding the provisions of executive order 01-09, each department director and each division director may exempt the following employees from the membership in a labor organization:

- (1) Department directors, division directors and their staffs;**
- (2) Supervisors and managers, and any immediate staff who are privileged to confidential information described in section 610.021, RSMo;**
- (3) Human resources managers, immediate staff, no more than four human resources employees in a division and no more than fifteen human resources employees in a department who have non-supervisory or non-managerial positions;**
- (4) All professional employees;**
- (5) Security guards, capitol police and park rangers; and**
- (6) Original probationary employees who have been employed by the state for ninety days or less, temporary, limited temporary, emergency and provisional.**

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Bill

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