

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 29

AN ACT

To amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A. Chapter 105, RSMo, is amended by adding thereto
2 one new section, to be known as section 105.504, to read as
3 follows:

4 105.504. 1. No sum shall be withheld from the earnings of
5 any public employee for the purposes of paying any portion of
6 dues, agency shop fees, or any other fees paid by public employee
7 members of a public labor organization, or public employees who
8 are not members except upon the annual written authorization of
9 the public employee member, or the public employee who is not a
10 member, received on a form described by subsection 2 of this
11 section.

12 2. The authorization referred to in subsection 1 of this
13 section shall be made on the following form, the sole purpose of
14 which is the documentation of such authorization. The form's
15 title shall read, in at least twenty-four point bold type,
16 "Consent for Withholding Union Dues/Fees" and shall state in at
17 least fourteen-point bold type, the following specific text:

1 "Signing this form authorizes the amount of \$..... to
2 be withheld from your monthly earnings and allocated to your
3 labor organization as a portion of your dues, agency shop fees,
4 or other fee payments for the next twelve months. You are not
5 obligated to sign this authorization. Your signature below is
6 completely voluntary and cannot in any way affect your
7 employment."

8 3. No public labor organization shall use or obtain any
9 portion of dues, agency shop fees, or any other fees paid by
10 public employee members of the labor organization, or public
11 employees who are not members, to make contributions or
12 expenditures as defined in section 130.011, except upon the
13 written authorization of such member or non member, received
14 within the previous twelve months on a form described by
15 subsection 4 of this section signed by such member or nonmember
16 and an officer of the union.

17 4. The authorization referred to in subsection 3 of this
18 section shall be made on the following form, the sole purpose of
19 which is the documentation of such authorization. The form's
20 title shall read, in at least twenty-four point bold type,
21 "Consent for Political Use of Dues/Fees", and shall state in at
22 least fourteen point bold type, the following specific text:

23 "Signing this form authorizes your union to use the amount of
24 \$..... from each of your dues or agency shop fee
25 payments during the next twelve months as a political
26 contribution or expenditure."

27 "Signing this form requests your union to use the amount of
28 \$..... from each of your dues or agency shop fee

1 payments during the next twelve months as a political
2 contribution to the (name of the committee).

3 Check applicable box.

4 You are not obligated to sign this authorization. Your signature
5 below is completely voluntary and cannot in any way affect your
6 employment."

7 5. Any public labor organization that uses any portion of
8 dues, agency shop fees, or other fees to make contributions or
9 expenditures under subsection 3 of this section shall maintain
10 records that include a copy of each authorization obtained under
11 subsection 4 of this section, the amounts and dates funds were
12 actually transferred, the amounts and dates funds were
13 transferred to a committee as defined in section 130.011 and the
14 committee to which the funds were transferred. Records
15 maintained under this subsection shall not include the employee's
16 home address or telephone number.

17 6. Copies of all records maintained under subsection 5 of
18 this section shall be sent to the labor and industrial relations
19 commission established under section 286.005.

20 7. Individuals who do not authorize contributions or
21 expenditures under subsection 3 of this section shall not have
22 their dues, agency shop fees, or other fees increased in lieu of
23 contribution or expenditure.

24 8. The requirements of this section shall not be waived by
25 the member or nonmember and waiver of the requirements shall not
26 be made a condition of employment or continued employment.

27 9. Signing or refraining from signing the authorizations
28 referred to in subsections 2 or 4 of this section shall not be

1 made a condition of employment or continued employment.

2 10. For the purposes of this section, "agency shop" means
3 an arrangement that requires an employee, as a condition of
4 continued employment, either to join the recognized employee
5 organization, or to pay the organization a service fee.

6 11. For the purposes of this section, "public labor
7 organization" includes any organization which exists and is
8 constituted for the purpose, in whole or in part, of collective
9 bargaining or dealing with public employers concerning
10 grievances, terms, or conditions of employment, or of other
11 mutual aid or protection.

12 12. This section shall not apply to first responders as
13 defined under subdivision (3) of section 192.800 or any labor
14 organization that represents such an individual.