

HB 3009 A STAFF MEASURE SUMMARY

Carrier: Rep. Barker

House Committee On Business and Labor

Action Date: 04/03/19

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

Vote: 10-1-0-0

Yeas: 10 - Barker, Barreto, Boles, Bonham, Boshart Davis, Bynum, Clem, Doherty, Evans, Fahey

Nays: 1 - Holvey

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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Meeting Dates: 4/1, 4/3

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 in effect, entered into, renewed, or extended on or after effective date.

ISSUES DISCUSSED:

- Expense to union in representing law enforcement employees, given nature of job duties
- Limiting ability to charge only for contract enforcement and representation unrelated to negotiating collective bargaining agreement
- *Janus v. AFSCME* decision by U.S. Supreme Court
- Difference between union members, fair-share payers, and non-payers, all of which are in bargaining unit of exclusive representative

EFFECT OF AMENDMENT:

Replaces 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 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-A 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.