

House Joint Resolution 15

Sponsored by Representatives SMITH DB, SCHARF; Representatives CATE, LEWIS (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Proposes amendment to Oregon Constitution relating to right to work without membership in labor organization.

Establishes penalty for violation as Class A misdemeanor.

Refers proposed amendment to people for their approval or rejection at next regular general election.

JOINT RESOLUTION

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. The Constitution of the State of Oregon is amended by creating a new section 12 to be added to and made a part of Article XV, such section to read:

SECTION 12. (1) Every employee shall have the right to:

(a) Organize, form, join, or participate in or assist in the activities of a labor organization of the employee's own choosing, for the purpose of representation and collective bargaining on matters concerning employment relations.

(b) Refrain from organizing, forming, joining, or participating in or assisting in the activities of a labor organization for the purpose of representation and collective bargaining on matters concerning employment relations.

(2) No employer may require, as a condition of obtaining or continuing employment, a person to:

(a) Refrain or resign from membership in, voluntary affiliation with or voluntary financial support of a labor organization.

(b) Become or remain a member of a labor organization.

(c) Pay any dues, fees, assessments or charges, in any amount, or provide anything of monetary value, to a labor organization.

(d) Pay to any third party any amounts in lieu of or the equivalent to a pro rata portion of dues, fees, assessments or any other charges or expenses required to be paid to a labor organization by employees who are members of the labor organization.

(3) An employer may not:

(a) Discriminate against a person with regard to hiring, promotion, compensation or other terms or conditions of employment on the basis of the person's membership status with a labor organization.

(b) Deduct from the wages, earnings or compensation of an employee any union dues, fees, assessments or other charges to be held for, transferred to or paid over to a labor organization if the employee has not presented, and the employer has not received, a signed written authorization for such deductions.

(4) A violation of this section is a Class A misdemeanor.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (5) This section applies to collective bargaining agreements entered into, renewed, modi-
2 fied or extended on or after December 5, 2024.

3 (6) As used in this section:

4 (a) "Collective bargaining" means the performance of the mutual obligation of the em-
5 ployer and the representative of the employees to meet at reasonable times and confer in
6 good faith with respect to wages, hours and other terms and conditions of employment, or
7 the negotiation of an agreement, or any question arising thereunder, and the execution of a
8 written contract incorporating any agreement reached if requested by either party.

9 (b) "Employee" means a person employed by an employer.

10 (c) "Employer" includes any person acting as an agent of an employer, directly or indi-
11 rectly, but does not include:

12 (A) The United States or any wholly owned government corporation, or any Federal Re-
13 serve Bank.

14 (B) This state, or any county, city or political subdivision or agency thereof.

15 (C) Any person subject to the federal Railway Labor Act, as amended.

16 (D) Any labor organization (other than when acting as an employer), or anyone acting in
17 the capacity of officer or agent of a labor organization.

18 (E) Any person involved in the building and construction industry.

19 (F) Any person subject to the jurisdiction of the National Labor Relations Board under
20 its existing jurisdictional standards, pursuant to the federal Labor Management Relations
21 Act of 1947, as amended.

22 (d) "Labor organization" means an organization of any kind, or an agency or an employee
23 representation committee or plan, in which employees participate and that exists for the
24 purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes,
25 wages, rates of pay, hours of employment or conditions of work.

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27 **PARAGRAPH 2.** The amendment proposed by this resolution shall be submitted to the
28 people for their approval or rejection at the next regular general election held throughout
29 this state.

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