

# House Bill 3072

Sponsored by Representative NEARMAN

## 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**.

Prohibits terms of collective bargaining agreement from requiring public employee who has withdrawn membership from labor organization from continuing to pay member dues or continuing to authorize public employer to deduct dues from salary of employee.

Permits employee to revoke authorization for public employer to make deductions for payment of dues to labor organization.

## A BILL FOR AN ACT

1  
2 Relating to deductions made by public employers; creating new provisions; and amending ORS  
3 292.055.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS 243.650 to**  
6 **243.782.**

7 **SECTION 2. The terms and conditions of a collective bargaining agreement may not in-**  
8 **clude a provision that has the purpose or effect of requiring a public employee who has**  
9 **withdrawn membership from a labor organization to continue to:**

10 (1) **Pay member dues, fees or other assessments to the labor organization; or**

11 (2) **Authorize a public employer to make deductions from the salary or wages of the**  
12 **employee to pay member dues, fees or assessments to the labor organization.**

13 **SECTION 3. ORS 292.055 is amended to read:**

14 292.055. (1) Upon receipt of the request in writing of a state officer or employee so to do, the  
15 state official authorized to disburse funds in payment of the salary or wages of such state officer  
16 or employee each month shall deduct from the salary or wages of such officer or employee the  
17 amount of money indicated in such request, for payment thereof to a labor organization as the same  
18 is defined in ORS 243.650.

19 (2) Such state official each month shall pay such amount so deducted to any such labor organ-  
20 ization so designated to receive it.

21 *[(3) Unless there is a contract to the contrary, Upon receipt of the request in writing of such officer*  
22 *or employee so to do, such state official shall cease making such deductions and payments.]*

23 (3)(a) **A public employee who has withdrawn membership from a labor organization may**  
24 **revoke authorization for the deductions described in subsection (1) of this section by sub-**  
25 **mitting a signed, written statement of revocation to the state official. Upon receipt of the**  
26 **revocation, the state official shall cease making the deductions.**

27 (b) **A state official's compliance with this subsection is not an unfair labor practice under**  
28 **ORS 243.672.**

29 (4) In addition to making such deductions and payments to any labor organization certified un-  
30 der the rules of the Employment Relations Board as representatives of employees in a bargaining

**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 unit, any department, board, commission, bureau, institution or other agency of the state shall make  
2 deductions for and payments to noncertified, yet bona fide, labor organizations, if requested to do  
3 so by officers and employees in that department, board, commission, bureau, institution, or other  
4 state agency, and for so long as the requests are not revoked. No deductions for and payments to  
5 any labor organization under this section shall be deemed an unfair labor practice under ORS  
6 243.672.

7 (5) Upon receipt from the Oregon Department of Administrative Services of a copy of a valid  
8 fair-share agreement in a collective bargaining unit, the state official authorized to disburse funds  
9 in payment of the salary or wages of the employees in such unit each month shall deduct from the  
10 salary or wages of the employees covered by the agreement the in-lieu-of-dues payment stated in the  
11 agreement and pay such amount to the labor organization party the agreement in the same manner  
12 as deducted dues are paid to a labor organization. Such deduction and payment shall continue for  
13 the life of the agreement.

14 **SECTION 4. Section 2 of this 2019 Act and the amendments to ORS 292.055 by section 3**  
15 **of this 2019 Act apply to collective bargaining agreements entered into or renewed on or after**  
16 **the effective date of this 2019 Act.**