MISSISSIPPI LEGISLATURE

MISSISSIPPI LEGISLATURE REGULAR SESSION 2002

By: Representatives Ketchings, Robertson To: Labor

HOUSE BILL NO. 104

AN ACT TO PROVIDE THAT LABOR UNIONS SHALL FURNISH CERTAIN REPORTS TO EMPLOYEES CONCERNING HOW THEIR UNION DUES WERE SPENT; TO REQUIRE LABOR UNIONS TO RECEIVE ANNUAL, UP-FRONT, WRITTEN PERMISSION FROM EACH INDIVIDUAL WORKER BEFORE SPENDING HIS OR HER DUES FOR POLITICAL OR OTHER NONCOLLECTIVE BARGAINING PURPOSES; TO PROVIDE THAT EMPLOYEES WHO DID NOT PROVIDE SUCH WRITTEN PERMISSION MAY WITHHOLD PAYMENT OR RECEIVE REFUNDS OF THE PORTION OF THE UNION DUES SPENT ON NONCOLLECTIVE BARGAINING ACTIVITIES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) Each labor union shall furnish employees who are either dues-paying members of the labor union or dues-paying nonmembers of the labor union with an annual, independent audit report as to how such dues were spent by the labor union over the past year.

(2) Labor unions must receive annual, up-front, written permission from each individual worker before spending his or her dues for political or other noncollective bargaining purposes. "Noncollective bargaining activities" does not include contract administration or grievance adjustment activities.

(3) If an employee did not provide the permission as required in subsection (2) of this section, the employee may withhold payment or receive refunds of the portion of the union dues spent on noncollective bargaining activities, including political contributions.

(4) For purposes of this section, the term "labor union" includes an organization or agency that permits its exclusive bargaining representative and an employer to enter into an agreement requiring all employees in the bargaining unit to pay periodic union dues and invitation fees as a condition of
continued employment whether or not the employees otherwise wish
to become union members.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2002.