

SHB 1575 - H AMD 342

By Representative Stokesbary

WITHDRAWN 03/11/2019

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 28B.52.045 and 2018 c 247 s 1 are each amended to  
4 read as follows:

5 (1) ~~((a))~~ A collective bargaining agreement may include ~~((union~~  
6 ~~security provisions, but not a closed shop.~~

7 ~~(b) Upon written authorization of an employee within the~~  
8 ~~bargaining unit and after the certification or recognition of the~~  
9 ~~bargaining unit's exclusive bargaining representative, the employer~~  
10 ~~must deduct from the payments to the employee the monthly amount of~~  
11 ~~dues as certified by the secretary of the exclusive bargaining~~  
12 ~~representative and must transmit the same to the treasurer of the~~  
13 ~~exclusive bargaining representative.~~

14 ~~(c) If the employer and the exclusive bargaining representative~~  
15 ~~of a bargaining unit enter into a collective bargaining agreement~~  
16 ~~that:~~

17 ~~(i) Includes a union security provision authorized under (a) of~~  
18 ~~this subsection, the employer must enforce the agreement by deducting~~  
19 ~~from the payments to bargaining unit members the dues required for~~  
20 ~~membership in the exclusive bargaining representative, or, for~~  
21 ~~nonmembers thereof, a fee equivalent to the dues; or~~

22 ~~(ii) Includes requirements for deductions of payments other than~~  
23 ~~the deduction under (c) (i) of this subsection, the employer must make~~  
24 ~~such deductions upon written authorization of the employee.~~

25 ~~(2) An employee who is covered by a union security provision and~~  
26 ~~who asserts a right of nonassociation based on bona fide religious~~  
27 ~~tenets or teachings of a church or religious body of which such~~  
28 ~~employee is a member shall pay to a nonreligious charity or other~~  
29 ~~charitable organization an amount of money equivalent to the periodic~~  
30 ~~dues and initiation fees uniformly required as a condition of~~  
31 ~~acquiring or retaining membership in the exclusive bargaining~~  
32 ~~representative. The charity shall be agreed upon by the employee and~~

1 ~~the employee organization to which such employee would otherwise pay~~  
2 ~~the dues and fees. The employee shall furnish written proof that such~~  
3 ~~payments have been made. If the employee and the employee~~  
4 ~~organization do not reach agreement on such matter, the commission~~  
5 ~~shall designate the charitable organization)) provisions permitting~~  
6 employers to deduct union dues or representation fees from employees  
7 who directly authorize the employer to make such deductions, provided  
8 that the employer only makes such deductions consistent with the  
9 requirements of this section.

10 (2) Authorization to deduct union dues or representation fees  
11 must be made directly by an employee to the employer, and must be on  
12 a form submitted to the employer that reads as follows:

13 AUTHORIZATION TO DEDUCT UNION DUES OR REPRESENTATION FEES

14 By providing the following information and permissions, your  
15 employer, (employer name), is authorized to deduct union dues or  
16 representation fees. This authorization is valid until revoked in  
17 writing at any time during the employer's regular business hours. If  
18 you choose to revoke this authorization, deductions will cease no  
19 later than the end of the month following the revocation.

20 I, (employee name), authorize my employer named above to deduct  
21 union dues or representation fees from my earnings to my bargaining  
22 representative, (name of employee bargaining representative  
23 organization), consistent with the terms of the collective bargaining  
24 agreement negotiated by this organization on my behalf.

25 In the event that this authorization, or revocation of  
26 authorization, conflicts with any contractual agreement that I have  
27 previously made with an employee representative organization, I  
28 understand that the conflict is a matter of private contract, and  
29 that it is in no way the responsibility of my employer to resolve or  
30 intervene in the conflict.

31 (3) At such time as an employee no longer desires association  
32 with the bargaining representative, any dues or representation fee  
33 authorization may be revoked. The employer must terminate any  
34 deductions for which authorization has been revoked in writing no  
35 later than the end of the month following the month in which the  
36 written revocation of authorization was received.

37 (4) Because it involves the protection of employees' fundamental  
38 right to freedom of association under the first amendment to the  
39 Constitution of the United States, the employer, through a collective

bargaining agreement or otherwise, may not delegate the administration of the authorization process for union dues or representation fees to a private entity. To the extent that an employer uses a business agent, such as a payroll, billing service, or accounting firm, the mere administration of authorizations made by an employee to an employer are not prohibited. An employer is prohibited from expending public funds to resolve private contract disputes between employees and employee representative organizations on matters involving union dues or representation fees.

**Sec. 2.** RCW 41.56.110 and 2018 c 247 s 2 are each amended to read as follows:

~~(1) ((Upon the written authorization of an employee within the bargaining unit and after the certification or recognition of the bargaining unit's exclusive bargaining representative, the employer shall deduct from the payments to the employee the monthly amount of dues as certified by the secretary of the exclusive bargaining representative and shall transmit the same to the treasurer of the exclusive bargaining representative.~~

~~(2) If the employer and the exclusive bargaining representative of a bargaining unit enter into))~~ A collective bargaining agreement ((that:

~~(a) Includes a union security provision authorized under RCW 41.56.122, the employer must enforce the agreement by deducting from the payments to bargaining unit members the dues required for membership in the exclusive bargaining representative, or, for nonmembers thereof, a fee equivalent to the dues; or~~

~~(b) Includes requirements for deductions of payments other than the deduction under (a) of this subsection, the employer must make such deductions upon written authorization of the employee))~~ may include provisions permitting employers to deduct union dues or representation fees from employees who directly authorize the employer to make such deductions, provided that the employer only makes such deductions consistent with the requirements of this section.

(2) Authorization to deduct union dues or representation fees must be made directly by an employee to the employer, and must be on a form submitted to the employer that reads as follows:

AUTHORIZATION TO DEDUCT UNION DUES OR REPRESENTATION FEES

1 By providing the following information and permissions, your  
2 employer, (employer name), is authorized to deduct union dues or  
3 representation fees. This authorization is valid until revoked in  
4 writing at any time during the employer's regular business hours. If  
5 you choose to revoke this authorization, deductions will cease no  
6 later than the end of the month following the revocation.

7 I, (employee name), authorize my employer named above to deduct  
8 union dues or representation fees from my earnings to my bargaining  
9 representative, (name of employee bargaining representative  
10 organization), consistent with the terms of the collective bargaining  
11 agreement negotiated by this organization on my behalf.

12 In the event that this authorization, or revocation of  
13 authorization, conflicts with any contractual agreement that I have  
14 previously made with an employee representative organization, I  
15 understand that the conflict is a matter of private contract, and  
16 that it is in no way the responsibility of my employer to resolve or  
17 intervene in the conflict.

18 (3) At such time as an employee no longer desires association  
19 with the bargaining representative, any dues or representation fee  
20 authorization may be revoked. The employer must terminate any  
21 deductions for which authorization has been revoked in writing no  
22 later than the end of the month following the month in which the  
23 written revocation of authorization was received.

24 (4) Because it involves the protection of employees' fundamental  
25 right to freedom of association under the first amendment to the  
26 Constitution of the United States, the employer, through a collective  
27 bargaining agreement or otherwise, may not delegate the  
28 administration of the authorization process for union dues or  
29 representation fees to a private entity. To the extent that an  
30 employer uses a business agent, such as a payroll, billing service,  
31 or accounting firm, the mere administration of authorizations made by  
32 an employee to an employer are not prohibited. An employer is  
33 prohibited from expending public funds to resolve private contract  
34 disputes between employees and employee representative organizations  
35 on matters involving union dues or representation fees.

36 **Sec. 3.** RCW 41.59.060 and 2018 c 247 s 3 are each amended to  
37 read as follows:

1           ~~(1) (Employees shall have the right to self-organization, to~~  
2 ~~form, join, or assist employee organizations, to bargain collectively~~  
3 ~~through representatives of their own choosing, and shall also have~~  
4 ~~the right to refrain from any or all of such activities except to the~~  
5 ~~extent that employees may be required to pay a fee to any employee~~  
6 ~~organization under an agency shop agreement authorized in this~~  
7 ~~chapter.~~

8           ~~(2) (a) Upon written authorization of an employee within the~~  
9 ~~bargaining unit and after the certification or recognition of the~~  
10 ~~bargaining unit's exclusive bargaining representative, the employer~~  
11 ~~must deduct from the payments to the employee the monthly amount of~~  
12 ~~dues as certified by the secretary of the exclusive bargaining~~  
13 ~~representative and must transmit the same to the treasurer of the~~  
14 ~~exclusive bargaining representative.~~

15           ~~(b) If the employer and the exclusive bargaining representative~~  
16 ~~of a bargaining unit enter into)) A collective bargaining agreement~~  
17 ~~((that:~~

18           ~~(i) Includes a union security provision authorized under RCW~~  
19 ~~41.59.100, the employer must enforce the agreement by deducting from~~  
20 ~~the payments to bargaining unit members the dues required for~~  
21 ~~membership in the exclusive bargaining representative, or, for~~  
22 ~~nonmembers thereof, a fee equivalent to the dues; or~~

23           ~~(ii) Includes requirements for deductions of payments other than~~  
24 ~~the deduction under (b) (i) of this subsection, the employer must make~~  
25 ~~such deductions upon written authorization of the employee)) may~~  
26 ~~include provisions permitting employers to deduct union dues or~~  
27 ~~representation fees from employees who directly authorize the~~  
28 ~~employer to make such deductions, provided that the employer only~~  
29 ~~makes such deductions consistent with the requirements of this~~  
30 ~~section.~~

31           (2) Authorization to deduct union dues or representation fees  
32 must be made directly by an employee to the employer, and must be on  
33 a form submitted to the employer that reads as follows:

34           AUTHORIZATION TO DEDUCT UNION DUES OR REPRESENTATION FEES

35           By providing the following information and permissions, your  
36 employer, (employer name), is authorized to deduct union dues or  
37 representation fees. This authorization is valid until revoked in  
38 writing at any time during the employer's regular business hours. If

1 you choose to revoke this authorization, deductions will cease no  
2 later than the end of the month following the revocation.

3 I, (employee name), authorize my employer named above to deduct  
4 union dues or representation fees from my earnings to my bargaining  
5 representative, (name of employee bargaining representative  
6 organization), consistent with the terms of the collective bargaining  
7 agreement negotiated by this organization on my behalf.

8 In the event that this authorization, or revocation of  
9 authorization, conflicts with any contractual agreement that I have  
10 previously made with an employee representative organization, I  
11 understand that the conflict is a matter of private contract, and  
12 that it is in no way the responsibility of my employer to resolve or  
13 intervene in the conflict.

14 (3) At such time as an employee no longer desires association  
15 with the bargaining representative, any dues or representation fee  
16 authorization may be revoked. The employer must terminate any  
17 deductions for which authorization has been revoked in writing no  
18 later than the end of the month following the month in which the  
19 written revocation of authorization was received.

20 (4) Because it involves the protection of employees' fundamental  
21 right to freedom of association under the first amendment to the  
22 Constitution of the United States, the employer, through a collective  
23 bargaining agreement or otherwise, may not delegate the  
24 administration of the authorization process for union dues or  
25 representation fees to a private entity. To the extent that an  
26 employer uses a business agent, such as a payroll, billing service,  
27 or accounting firm, the mere administration of authorizations made by  
28 an employee to an employer are not prohibited. An employer is  
29 prohibited from expending public funds to resolve private contract  
30 disputes between employees and employee representative organizations  
31 on matters involving union dues or representation fees.

32 **Sec. 4.** RCW 41.76.045 and 2018 c 247 s 4 are each amended to  
33 read as follows:

34 (1) ~~((a))~~ A collective bargaining agreement may include ~~((union~~  
35 ~~security provisions, but not a closed shop.~~

36 ~~(b) Upon written authorization of an employee within the~~  
37 ~~bargaining unit and after the certification or recognition of the~~  
38 ~~bargaining unit's exclusive bargaining representative, the employer~~

1 ~~must deduct from the payments to the employee the monthly amount of~~  
2 ~~dues as certified by the secretary of the exclusive bargaining~~  
3 ~~representative and must transmit the same to the treasurer of the~~  
4 ~~exclusive bargaining representative.~~

5 ~~(c) If the employer and the exclusive bargaining representative~~  
6 ~~of a bargaining unit enter into a collective bargaining agreement~~  
7 ~~that:~~

8 ~~(i) Includes a union security provision authorized under (a) of~~  
9 ~~this subsection, the employer must enforce the agreement by deducting~~  
10 ~~from the payments to bargaining unit members the dues required for~~  
11 ~~membership in the exclusive bargaining representative, or, for~~  
12 ~~nonmembers thereof, a fee equivalent to the dues; or~~

13 ~~(ii) Includes requirements for deductions of payments other than~~  
14 ~~the deduction under (c) (i) of this subsection, the employer must make~~  
15 ~~such deductions upon written authorization of the employee.~~

16 ~~(2) A faculty member who is covered by a union security provision~~  
17 ~~and who asserts a right of nonassociation based on bona fide~~  
18 ~~religious tenets or teachings of a church or religious body of which~~  
19 ~~such faculty member is a member shall pay to a nonreligious charity~~  
20 ~~or other charitable organization an amount of money equivalent to the~~  
21 ~~periodic dues and initiation fees uniformly required as a condition~~  
22 ~~of acquiring or retaining membership in the exclusive bargaining~~  
23 ~~representative. The charity shall be agreed upon by the faculty~~  
24 ~~member and the employee organization to which such faculty member~~  
25 ~~would otherwise pay the dues and fees. The faculty member shall~~  
26 ~~furnish written proof that such payments have been made. If the~~  
27 ~~faculty member and the employee organization do not reach agreement~~  
28 ~~on such matter, the dispute shall be submitted to the commission for~~  
29 ~~determination) provisions permitting employers to deduct union dues~~  
30 ~~or representation fees from employees who directly authorize the~~  
31 ~~employer to make such deductions, provided that the employer only~~  
32 ~~makes such deductions consistent with the requirements of this~~  
33 ~~section.~~

34 ~~(2) Authorization to deduct union dues or representation fees~~  
35 ~~must be made directly by an employee to the employer, and must be on~~  
36 ~~a form submitted to the employer that reads as follows:~~

37 ~~AUTHORIZATION TO DEDUCT UNION DUES OR REPRESENTATION FEES~~

38 ~~By providing the following information and permissions, your~~  
39 ~~employer, (employer name), is authorized to deduct union dues or~~

1 representation fees. This authorization is valid until revoked in  
2 writing at any time during the employer's regular business hours. If  
3 you choose to revoke this authorization, deductions will cease no  
4 later than the end of the month following the revocation.

5 I, (employee name), authorize my employer named above to deduct  
6 union dues or representation fees from my earnings to my bargaining  
7 representative, (name of employee bargaining representative  
8 organization), consistent with the terms of the collective bargaining  
9 agreement negotiated by this organization on my behalf.

10 In the event that this authorization, or revocation of  
11 authorization, conflicts with any contractual agreement that I have  
12 previously made with an employee representative organization, I  
13 understand that the conflict is a matter of private contract, and  
14 that it is in no way the responsibility of my employer to resolve or  
15 intervene in the conflict.

16 (3) At such time as an employee no longer desires association  
17 with the bargaining representative, any dues or representation fee  
18 authorization may be revoked. The employer must terminate any  
19 deductions for which authorization has been revoked in writing no  
20 later than the end of the month following the month in which the  
21 written revocation of authorization was received.

22 (4) Because it involves the protection of employees' fundamental  
23 right to freedom of association under the first amendment to the  
24 Constitution of the United States, the employer, through a collective  
25 bargaining agreement or otherwise, may not delegate the  
26 administration of the authorization process for union dues or  
27 representation fees to a private entity. To the extent that an  
28 employer uses a business agent, such as a payroll, billing service,  
29 or accounting firm, the mere administration of authorizations made by  
30 an employee to an employer are not prohibited. An employer is  
31 prohibited from expending public funds to resolve private contract  
32 disputes between employees and employee representative organizations  
33 on matters involving union dues or representation fees.

34 **Sec. 5.** RCW 41.80.100 and 2018 c 247 s 5 are each amended to  
35 read as follows:

36 (1) A collective bargaining agreement may ~~((contain a union~~  
37 ~~security provision requiring as a condition of employment the~~  
38 ~~payment, no later than the thirtieth day following the beginning of~~



1 ~~employment or July 1, 2004, whichever is later, of an agency shop fee~~  
2 ~~to the employee organization that is the exclusive bargaining~~  
3 ~~representative for the bargaining unit in which the employee is~~  
4 ~~employed. The amount of the fee shall be equal to the amount required~~  
5 ~~to become a member in good standing of the employee organization.~~  
6 ~~Each employee organization shall establish a procedure by which any~~  
7 ~~employee so requesting may pay a representation fee no greater than~~  
8 ~~the part of the membership fee that represents a pro rata share of~~  
9 ~~expenditures for purposes germane to the collective bargaining~~  
10 ~~process, to contract administration, or to pursuing matters affecting~~  
11 ~~wages, hours, and other conditions of employment.~~

12 ~~(2) An employee who is covered by a union security provision and~~  
13 ~~who asserts a right of nonassociation based on bona fide religious~~  
14 ~~tenets, or teachings of a church or religious body of which the~~  
15 ~~employee is a member, shall, as a condition of employment, make~~  
16 ~~payments to the employee organization, for purposes within the~~  
17 ~~program of the employee organization as designated by the employee~~  
18 ~~that would be in harmony with his or her individual conscience. The~~  
19 ~~amount of the payments shall be equal to the periodic dues and fees~~  
20 ~~uniformly required as a condition of acquiring or retaining~~  
21 ~~membership in the employee organization minus any included monthly~~  
22 ~~premiums for insurance programs sponsored by the employee~~  
23 ~~organization. The employee shall not be a member of the employee~~  
24 ~~organization but is entitled to all the representation rights of a~~  
25 ~~member of the employee organization.~~

26 ~~(3) (a) Upon written authorization of an employee within the~~  
27 ~~bargaining unit and after the certification or recognition of the~~  
28 ~~bargaining unit's exclusive bargaining representative, the employer~~  
29 ~~must deduct from the payments to the employee the monthly amount of~~  
30 ~~dues as certified by the secretary of the exclusive bargaining~~  
31 ~~representative and must transmit the same to the treasurer of the~~  
32 ~~exclusive bargaining representative.~~

33 ~~(b) If the employer and the exclusive bargaining representative~~  
34 ~~of a bargaining unit enter into a collective bargaining agreement~~  
35 ~~that:~~

36 ~~(i) Includes a union security provision authorized under~~  
37 ~~subsection (1) of this section, the employer must enforce the~~  
38 ~~agreement by deducting from the payments to bargaining unit members~~  
39 ~~the dues required for membership in the exclusive bargaining~~

1 ~~representative, or, for nonmembers thereof, a fee equivalent to the~~  
2 ~~dues; or~~

3 ~~(ii) Includes requirements for deductions of payments other than~~  
4 ~~the deduction under (b)(i) of this subsection, the employer must make~~  
5 ~~such deductions upon written authorization of the employee.~~

6 ~~(4) Employee organizations that before July 1, 2004, were~~  
7 ~~entitled to the benefits of this section shall continue to be~~  
8 ~~entitled to these benefits)) include provisions permitting employers~~

9 to deduct union dues or representation fees from employees who  
10 directly authorize the employer to make such deductions, provided  
11 that the employer only makes such deductions consistent with the  
12 requirements of this section.

13 (2) Authorization to deduct union dues or representation fees  
14 must be made directly by an employee to the employer, and must be on  
15 a form submitted to the employer that reads as follows:

16 AUTHORIZATION TO DEDUCT UNION DUES OR REPRESENTATION FEES

17 By providing the following information and permissions, your  
18 employer, (employer name), is authorized to deduct union dues or  
19 representation fees. This authorization is valid until revoked in  
20 writing at any time during the employer's regular business hours. If  
21 you choose to revoke this authorization, deductions will cease no  
22 later than the end of the month following the revocation.

23 I, (employee name), authorize my employer named above to deduct  
24 union dues or representation fees from my earnings to my bargaining  
25 representative, (name of employee bargaining representative  
26 organization), consistent with the terms of the collective bargaining  
27 agreement negotiated by this organization on my behalf.

28 In the event that this authorization, or revocation of  
29 authorization, conflicts with any contractual agreement that I have  
30 previously made with an employee representative organization, I  
31 understand that the conflict is a matter of private contract, and  
32 that it is in no way the responsibility of my employer to resolve or  
33 intervene in the conflict.

34 (3) At such time as an employee no longer desires association  
35 with the bargaining representative, any dues or representation fee  
36 authorization may be revoked. The employer must terminate any  
37 deductions for which authorization has been revoked in writing no  
38 later than the end of the month following the month in which the  
39 written revocation of authorization was received.

1 (4) Because it involves the protection of employees' fundamental  
2 right to freedom of association under the first amendment to the  
3 Constitution of the United States, the employer, through a collective  
4 bargaining agreement or otherwise, may not delegate the  
5 administration of the authorization process for union dues or  
6 representation fees to a private entity. To the extent that an  
7 employer uses a business agent, such as a payroll, billing service,  
8 or accounting firm, the mere administration of authorizations made by  
9 an employee to an employer are not prohibited. An employer is  
10 prohibited from expending public funds to resolve private contract  
11 disputes between employees and employee representative organizations  
12 on matters involving union dues or representation fees.

13 **Sec. 6.** RCW 47.64.160 and 1983 c 15 s 7 are each amended to read  
14 as follows:

15 (1) A collective bargaining agreement may include ((union  
16 security provisions including an agency shop, but not a union or  
17 closed shop. If an agency shop provision is agreed to, the employer  
18 shall enforce it by deducting from the salary payments to members of  
19 the bargaining unit the dues required of membership in the bargaining  
20 representative, or, for nonmembers thereof, a fee equivalent to such  
21 dues. All union security provisions shall safeguard the right of  
22 nonassociation of employees based on bona fide religious tenets or  
23 teachings of a church or religious body of which such employee is a  
24 member. Such employee shall pay an amount of money equivalent to  
25 regular dues and fees to a nonreligious charity or to another  
26 charitable organization mutually agreed upon by the employee affected  
27 and the bargaining representative to which such employee would  
28 otherwise pay the dues and fees. The employee shall furnish written  
29 proof that such payment has been made. If the employee and the  
30 bargaining representative do not reach agreement on such matter, the  
31 commission shall designate the charitable organization)) provisions  
32 permitting employers to deduct union dues or representation fees from  
33 employees who directly authorize the employer to make such  
34 deductions, provided that the employer only makes such deductions  
35 consistent with the requirements of this section.

36 (2) Authorization to deduct union dues or representation fees  
37 must be made directly by an employee to the employer, and must be on  
38 a form submitted to the employer that reads as follows:

1           AUTHORIZATION TO DEDUCT UNION DUES OR REPRESENTATION FEES

2           By providing the following information and permissions, your  
3 employer, (employer name), is authorized to deduct union dues or  
4 representation fees. This authorization is valid until revoked in  
5 writing at any time during the employer's regular business hours. If  
6 you choose to revoke this authorization, deductions will cease no  
7 later than the end of the month following the revocation.

8           I, (employee name), authorize my employer named above to deduct  
9 union dues or representation fees from my earnings to my bargaining  
10 representative, (name of employee bargaining representative  
11 organization), consistent with the terms of the collective bargaining  
12 agreement negotiated by this organization on my behalf.

13           In the event that this authorization, or revocation of  
14 authorization, conflicts with any contractual agreement that I have  
15 previously made with an employee representative organization, I  
16 understand that the conflict is a matter of private contract, and  
17 that it is in no way the responsibility of my employer to resolve or  
18 intervene in the conflict.

19           (3) At such time as an employee no longer desires association  
20 with the bargaining representative, any dues or representation fee  
21 authorization may be revoked. The employer must terminate any  
22 deductions for which authorization has been revoked in writing no  
23 later than the end of the month following the month in which the  
24 written revocation of authorization was received.

25           (4) Because it involves the protection of employees' fundamental  
26 right to freedom of association under the first amendment to the  
27 Constitution of the United States, the employer, through a collective  
28 bargaining agreement or otherwise, may not delegate the  
29 administration of the authorization process for union dues or  
30 representation fees to a private entity. To the extent that an  
31 employer uses a business agent, such as a payroll, billing service,  
32 or accounting firm, the mere administration of authorizations made by  
33 an employee to an employer are not prohibited. An employer is  
34 prohibited from expending public funds to resolve private contract  
35 disputes between employees and employee representative organizations  
36 on matters involving union dues or representation fees.

37           **Sec. 7.** RCW 49.39.080 and 2018 c 247 s 6 are each amended to  
38 read as follows:

1           (1) (~~Upon the written authorization of an employee within the~~  
2 ~~bargaining unit and after the certification or recognition of the~~  
3 ~~bargaining unit's exclusive bargaining representative, the employer~~  
4 ~~must deduct from the payments to the employee the monthly amount of~~  
5 ~~dues as certified by the secretary of the exclusive bargaining~~  
6 ~~representative and must transmit the same to the treasurer of the~~  
7 ~~exclusive bargaining representative.~~

8           (2) ~~If the employer and the exclusive bargaining representative~~  
9 ~~of a bargaining unit enter into)~~ A collective bargaining agreement  
10 ~~((that:~~

11           ~~(a) Includes a union security provision authorized under RCW~~  
12 ~~49.39.090, the employer must enforce the agreement by deducting from~~  
13 ~~the payments to bargaining unit members the dues required for~~  
14 ~~membership in the exclusive bargaining representative, or, for~~  
15 ~~nonmembers thereof, a fee equivalent to the dues; or~~

16           ~~(b) Includes requirements for deductions of payments other than~~  
17 ~~the deduction under (a) of this subsection, the employer must make~~  
18 ~~such deductions upon written authorization of the employee)) may~~  
19 include provisions permitting employers to deduct union dues or  
20 representation fees from employees who directly authorize the  
21 employer to make such deductions, provided that the employer only  
22 makes such deductions consistent with the requirements of this  
23 section.

24           (2) Authorization to deduct union dues or representation fees  
25 must be made directly by an employee to the employer, and must be on  
26 a form submitted to the employer that reads as follows:

27           AUTHORIZATION TO DEDUCT UNION DUES OR REPRESENTATION FEES

28           By providing the following information and permissions, your  
29 employer, (employer name), is authorized to deduct union dues or  
30 representation fees. This authorization is valid until revoked in  
31 writing at any time during the employer's regular business hours. If  
32 you choose to revoke this authorization, deductions will cease no  
33 later than the end of the month following the revocation.

34           I, (employee name), authorize my employer named above to deduct  
35 union dues or representation fees from my earnings to my bargaining  
36 representative, (name of employee bargaining representative  
37 organization), consistent with the terms of the collective bargaining  
38 agreement negotiated by this organization on my behalf.

1 In the event that this authorization, or revocation of  
2 authorization, conflicts with any contractual agreement that I have  
3 previously made with an employee representative organization, I  
4 understand that the conflict is a matter of private contract, and  
5 that it is in no way the responsibility of my employer to resolve or  
6 intervene in the conflict.

7 (3) At such time as an employee no longer desires association  
8 with the bargaining representative, any dues or representation fee  
9 authorization may be revoked. The employer must terminate any  
10 deductions for which authorization has been revoked in writing no  
11 later than the end of the month following the month in which the  
12 written revocation of authorization was received.

13 (4) Because it involves the protection of employees' fundamental  
14 right to freedom of association under the first amendment to the  
15 Constitution of the United States, the employer, through a collective  
16 bargaining agreement or otherwise, may not delegate the  
17 administration of the authorization process for union dues or  
18 representation fees to a private entity. To the extent that an  
19 employer uses a business agent, such as a payroll, billing service,  
20 or accounting firm, the mere administration of authorizations made by  
21 an employee to an employer are not prohibited. An employer is  
22 prohibited from expending public funds to resolve private contract  
23 disputes between employees and employee representative organizations  
24 on matters involving union dues or representation fees."

25 Correct the title.

EFFECT: The language of the second substitute bill is stricken, replaced with language that does the following: Union security provisions are removed from public employees, state employees, community college faculty, educational employees, university faculty, and marine employees sections, and replaced with language requiring employees to directly authorize public employers to make deductions for union dues on a form specifically prescribed in the language. Authorizations are effective until revoked in writing during an employer's regular business hours, and the employer must cease making deductions no later than the end of the month following the revocation.

Employers are required to consider authorizations made by employees to their unions as matters of private contract between those parties, and are prohibited from expending public funds to

resolve disputes between employees and unions on matters involving union dues or representation fees.

--- END ---