

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A PUBLIC EMPLOYEE TO WITHDRAW FROM A
5 BARGAINING UNIT; PROVIDING FOR WRITTEN NOTICE; ESTABLISHING THE TIMELINE FOR PAYMENT
6 OF DUES TO CEASE; AMENDING SECTIONS 39-31-203 AND 39-31-401, MCA; REPEALING SECTION 39-
7 31-204, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 **Section 1.** Section 39-31-203, MCA, is amended to read:

12 **"39-31-203. Deduction of dues from employee's pay.** ~~Upon (1) Except as provided in subsection~~
13 ~~(2), a public employer with the~~ written authorization of any public employee within a bargaining unit, ~~the public~~
14 ~~employer~~ shall deduct from the pay of the public employee the monthly amount of dues as certified by the
15 secretary of the exclusive representative and shall deliver the dues to the treasurer of the exclusive
16 representative.

17 (2) (a) By providing 14 days' written notice to the public employer, a public employee within a
18 bargaining unit may withdraw from the unit.

19 (b) Beginning on the first payday of the month following receipt of the written notice required in
20 subsection (2)(a), an employer may no longer deduct monthly dues from the pay of the public employee.

21 (c) An employee who withdraws from the bargaining unit in accordance with this subsection may not
22 renew the employee's association with the unit unless 1 year has elapsed. A request to renew and allow for the
23 deduction of monthly dues must be provided in writing."

24
25 **Section 2.** Section 39-31-401, MCA, is amended to read:

26 **"39-31-401. Unfair labor practices of public employer.** It is an unfair labor practice for a public
27 employer to:

28 (1) interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in 39-31-201;

