

## 1 HOUSE BILL NO. 289

2 INTRODUCED BY M. REGIER, S. BERGLEE, E. BUTTREY, S. GALLOWAY, D. HARVEY, J. KEANE, J.

3 PATELIS, A. REGIER, K. SEEKINS-CROWE, B. TSCHIDA, B. USHER, D. ANKNEY, M. BLASDEL, J.

4 ELLSWORTH, C. GLIMM, G. HERTZ, D. KARY, K. REGIER, D. SALOMON, J. SMALL, C. SMITH, G. VANCE,

5 J. WELBORN

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7 A BILL FOR AN ACT ENTITLED: "AN ACT ONLY PROHIBITING UNION DUES AND OTHER ASSESSMENTS  
8 TO BE CHARGED TO NONMEMBER PUBLIC EMPLOYEES; AMENDING SECTION 39-31-401, MCA; AND  
9 REPEALING SECTION 39-31-204, MCA."

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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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13 **Section 1.** Section 39-31-401, MCA, is amended to read:

14 **"39-31-401. Unfair labor practices of public employer.** It is an unfair labor practice for a public  
15 employer to:

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

17 (2) dominate, interfere, or assist in the formation or administration of any labor organization. However,  
18 subject to rules adopted by the board under 39-31-104, an employer is not prohibited from permitting  
19 employees to confer with the employer during working hours without loss of time or pay.

20 (3) discriminate in regard to hire or tenure of employment or any term or condition of employment in  
21 order to encourage or discourage membership in any labor organization. ~~However, nothing in this chapter or in~~  
22 ~~any other statute of this state precludes a public employer from making an agreement with an exclusive~~  
23 ~~representative to require, as a condition of employment, that an employee who is not or does not become a~~  
24 ~~union member must have an amount equal to the union initiation fee and monthly dues deducted from the~~  
25 ~~employee's wages in the same manner as checkoff of union dues.~~

26 (4) discharge or otherwise discriminate against an employee because the employee has signed or  
27 filed an affidavit, petition, or complaint or given any information or testimony under this chapter; or

28 (5) refuse to bargain collectively in good faith with an exclusive representative."

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NEW SECTION. Section 2. Repealer. The following section of the Montana Code Annotated is repealed:

39-31-204. Right of nonassociation with labor organization on religious grounds -- requirements and procedure for assertion of right.

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