AN ACT ONLY PROHIBITING UNION DUES AND OTHER ASSESSMENTS TO BE CHARGED TO NONMEMBER PUBLIC EMPLOYEES; AMENDING SECTION 39-31-401, MCA; AND REPEALING SECTION 39-31-204, MCA.

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

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

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

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

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

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

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

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

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 The following section of the Montana Code Annotated is repealed: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.

- END -
I hereby certify that the within bill, HB 289, originated in the House.

___________________________________________
Chief Clerk of the House

___________________________________________
Speaker of the House

Signed this _______________________________day of____________________________________, 2021.

___________________________________________
President of the Senate

Signed this _______________________________day of____________________________________, 2021.
HOUSE BILL NO. 289


AN ACT ONLY PROHIBITING UNION DUES AND OTHER ASSESSMENTS TO BE CHARGED TO NONMEMBER PUBLIC EMPLOYEES; AMENDING SECTION 39-31-401, MCA; AND REPEALING SECTION 39-31-204, MCA.