

2025 Regular Session

HOUSE BILL NO. 293

BY REPRESENTATIVE MELERINE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LABOR: Provides relative to the resignation from labor organization dues or fees for teachers and other school employees and public employees

## 1 AN ACT

2 To amend and reenact R.S. 42:457 and to enact R.S. 17:438(E) through (H), relative to labor  
3 organizations; to provide for the resignation from labor organization dues or fees for  
4 teachers or other school employees; to provide for the resignation from labor  
5 organization and union dues or fees for public employees; to provide for collective  
6 bargaining agreements or contracts; to provide for applicability; to provide for  
7 reporting and notification requirements; to provide for mass transit employees; to  
8 allow the secretary of the Louisiana Workforce Commission to waive certain  
9 requirements; to require labor organizations or unions to cover administrative costs  
10 incurred from the collection of dues or fees and for opting out; and to provide for  
11 related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 17:438(E) through (H) are hereby enacted to read as follows:

14 §438. Permitted withholdings; exceptions

15 \* \* \*

16 E.(1) Upon the submission of a written or electronic request to the employer,  
17 the employee shall have the right to immediately cease the withholding of dues or  
18 fees from his wages. Upon receipt of a request to withhold, the employer shall  
19 immediately provide written or electronic notification to the labor organization or  
20 union of the employee's decision.

1           (2) Upon receipt of the notification provided for in Paragraph (1) of this  
2           Subsection, the employer shall cease any withholding of dues or fees from the  
3           employee's wages, and the employee shall not accrue any further debt to the labor  
4           organization or union. The employee's right to immediately discontinue any  
5           financial obligation to the labor organization or union shall not be waived.

6           (3)(a) All authorizations for use of salary deductions for payment of labor  
7           organization or union dues or fees shall not exceed one year in duration and shall be  
8           renewed annually and upon any increase in the total amount of dues or fees per  
9           annum in order to remain effective. Any prior authorization for deductions for  
10          payment of labor organization dues or fees shall be deemed invalid.

11          (b) The employer shall not deduct dues or fees without a valid authorization  
12          and shall immediately cease deduction of dues or fees once authorization becomes  
13          invalid.

14          (4) This Section shall apply prospectively to any new collective bargaining  
15          agreement or contract that is entered into or any existing collective bargaining  
16          agreement that is modified, extended, or otherwise affected by a new or modified  
17          memorandum of understanding.

18          F.(1) A state, parish, city, local or charter school board, or any other  
19          governmental agency shall notify the employee of his right to cease payment of  
20          member organization dues or fees. The state, parish, city, local or charter school  
21          board, or any other governmental agency shall provide written or email notification,  
22          at least annually, to the employee to inform him that he can withdraw from the  
23          organization.

24          (2) All authorizations shall be on a form prescribed by the attorney general  
25          and contain the following statement in fourteen-point boldface font:

26          "The state of Louisiana wishes to inform you that you have a First  
27          Amendment right to join or refrain from joining and paying dues or fees to a labor  
28          organization. Membership and payment of dues or fees are voluntary, and you may  
29          not be discriminated against for your decision or your refusal to join or financially

1 support a labor organization. You may authorize your employer to deduct union  
2 dues or fees from your salary in the amount specified in accordance with the labor  
3 organization's bylaws. You may revoke this authorization at any time."

4 (3) All authorizations shall be submitted to the employer and contain the  
5 employee's full name, position, employee organization, and signature. Before  
6 starting any deductions, the employer shall confirm the authorization by emailing the  
7 employee at his employer-provided email address, and the employer shall wait for  
8 confirmation of the authorization before deducting any union dues or fees. If the  
9 employee does not possess an employer-provided address then the employer may use  
10 other means it deems appropriate to confirm the authorization.

11 G. The labor organization or union shall be responsible for all administrative  
12 costs incurred from the collection of labor organization dues or fees or from an  
13 employee opting out of the collection of labor organization dues or fees.

14 H. The provisions of this Section shall not apply to law enforcement and  
15 firefighters.

16 Section 2. R.S. 42:457 is hereby amended and reenacted to read as follows:

17 §457. Union dues

18 A. Any state, parish, or city employee may authorize his employing  
19 department, board, or agency to withhold from his salary a specific amount for such  
20 pay periods as may be designated, for payment of his dues to any labor organization  
21 to which he belongs and which he designates therein. In such cases, the employee  
22 ~~must~~ shall voluntarily execute and furnish to the employing department, board, or  
23 agency a written and specific authorization for such deductions; however, the  
24 employing authority may elect whether or not to make such deductions. Any amount  
25 withheld in accordance with the provisions of this Section shall be remitted on a  
26 regularly scheduled basis as prescribed by rules promulgated by the Division of  
27 Administration and administered by the state payroll office to the organization  
28 designated.

1           B.(1) Upon the submission of a written or electronic request to the employer,  
2           the employee shall have the right to immediately cease the withholding of dues or  
3           fees from his wages. Upon receipt of a request to withhold, the employer shall  
4           immediately provide written or electronic notification to the labor organization or  
5           union of the employee's decision.

6           (2) Upon receipt of the notification provided for in Paragraph (1) of this  
7           Subsection, the employer shall cease any withholding of dues or fees from the  
8           employee's wages, and the employee shall not accrue any further debt to the labor  
9           organization or union. The employee's right to immediately discontinue any  
10          financial obligation to the labor organization or union shall not be waived.

11          (3)(a) All authorizations for use of salary deductions for payment of labor  
12          organization or union dues or fees shall not exceed one year in duration and shall be  
13          renewed annually and upon any increase in the total amount of dues or fees per  
14          annum in order to remain effective. Any prior authorization for deductions for  
15          payment of labor organization dues or fees shall be deemed invalid.

16          (b) The employer shall not deduct dues or fees without a valid authorization  
17          and shall immediately cease deduction of dues or fees once authorization becomes  
18          invalid.

19          (4) This Section shall apply prospectively to any new collective bargaining  
20          agreement or contract that is entered into or any existing collective bargaining  
21          agreement that is modified, extended, or otherwise affected by a new or modified  
22          memorandum of understanding.

23          C.(1) The employer shall provide written or electronic notification, at least  
24          annually, advising the employee of his right to cease payment of organization dues  
25          or fees and to withdraw membership from the labor organization or union.

26          (2) All authorizations shall be on a form prescribed by the attorney general  
27          containing the following statement in fourteen-point boldface font:

28               "The state of Louisiana wishes to inform you that you have a First  
29               Amendment right to join or refrain from joining and paying dues or fees to a labor

1        organization. Membership and payment of dues or fees are voluntary, and you may  
2        not be discriminated against for your decision or your refusal to join or financially  
3        support a labor organization. You may authorize your employer to deduct labor  
4        organization dues or fees from your salary in the amount specified in accordance  
5        with the labor organization's bylaws. You may revoke this authorization at any  
6        time."

7                (3)(a) All authorizations shall be submitted to the employer and contain the  
8        employee's full name, position, employee organization, and signature.

9                (b) The employer shall not deduct any portion of an employee's salary for  
10       purposes of payment of labor organization or union dues or fees without emailed  
11       receipt of confirmation of the employee's authorization from the employee's  
12       employer-provided email address. If the employee does not have an employer-  
13       provided email address the employer may use other means it deems appropriate to  
14       confirm the authorization.

15               D. The labor organization or union shall be responsible for all administrative  
16       costs incurred from the collection of labor organization dues or fees or from an  
17       employee opting out of the collection of labor organization dues or fees.

18               E.(1) After receiving notice by the United States Department of Labor that  
19       the employer's protective arrangement covering mass transit employees does not  
20       meet the requirements provided for in 49 U.S.C. §5333(b), which would jeopardize  
21       the employer's continued eligibility to receive Federal Transit Administration  
22       funding, an employer may petition the secretary of Louisiana Workforce  
23       Commission to waive compliance with the requirements provided for in R.S. 42:457.

24               (2) To the extent necessary, the secretary of Louisiana Workforce  
25       Commission may waive any of the requirements provided for in R.S. 42:457 for a  
26       labor organization or union serving as exclusive representative of mass transit  
27       employees in order for an employer to comply with the requirements provided for  
28       in 49 U.S.C. §5333(b).

1                    F. The provisions of this Section shall not apply to law enforcement and  
 2                    firefighters.  
 3                    Section 3. The provisions of R.S. 17:438(E)(4) and (G) and R.S. 42:457(B)(4) and  
 4                    (D) as enacted by Sections 1 and 2 of this Act shall become applicable after August 1, 2025,  
 5                    for any new collective bargaining agreement or contract that is entered into or any existing  
 6                    collective bargaining agreement that is modified, extended, or otherwise affected by a new  
 7                    or modified memorandum of understanding.

### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 293 Reengrossed

2025 Regular Session

Melerine

**Abstract:** Allows teachers or other school employees from certain governing bodies to withdraw from paying labor organization dues or fees and allows public employees to withdraw from paying labor organization dues or fees.

### TEACHERS AND OTHER SCHOOL EMPLOYEES

Present law allows a teacher or other employee of a parish or city school board to authorize his employing school board to deduct and withhold from his earnings a specific amount for the payment of labor organization dues.

Proposed law retains present law.

Present law prohibits deductions from a teacher's or other employee's earnings, unless 50 or more teachers or other employees or 10% of the total number of employees, including teachers, whichever is less, request the deduction and the deduction is specifically and voluntarily authorized in writing by the teacher or other employee.

Proposed law retains present law.

Present law provides that present law shall not apply to a city or parish school board operating under the terms of a collective bargaining agreement applicable to teachers employed by the board.

Proposed law retains present law.

Proposed law provides that upon submission of a written or electronic request to the employer, the employee shall have the right to immediately cease the withholding of dues or fees from his wages. Proposed law further provides, upon receipt of a request to withhold, the employer shall immediately provide written or electronic notification to the labor organization or union of the employee's decision.

Proposed law requires, upon receipt of the notification required by proposed law, the employer to cease any withholding of dues or fees from the employee's wages. Proposed law provides that the employee shall not accrue any further debt to the labor organization

or union, and that his right to immediately discontinue any financial obligation to the labor organization or union shall not be waived.

Proposed law prohibits authorizations used for salary deductions for payment of labor organization or union dues or fees from exceeding one year in duration. Proposed law requires the authorization to be renewed annually and upon any increase in the total amount of dues or fees per annum in order to remain effective.

Proposed law provides that any prior authorization for deductions for payment of labor organization dues or fees shall be deemed invalid.

Proposed law prohibits an employer from deducting dues or fees without a valid authorization and provides that the employer shall immediately cease deduction of dues or fees once authorization becomes invalid.

Proposed law provides that proposed law shall apply prospectively to any new collective bargaining agreement or contract that is entered into or any existing collective bargaining agreement that is modified, extended, or otherwise affected by a new or modified memorandum of understanding.

Proposed law requires a state, parish, city, local or charter school board, or any other governmental agency, to notify the employee of his right to cease payment of member organization dues or fees. Proposed law further requires the aforementioned entities to provide written or email notification, at least annually, to the employee to inform him that he can withdraw from the organization.

Proposed law provides that all authorizations shall be on a form prescribed by the attorney general and contain the following statement in 14-point boldface font.

"The state of La. wishes to inform you that you have a First Amendment right to join or refrain from joining and paying dues or fees to a labor organization. Membership and payment of dues or fees are voluntary, and you may not be discriminated against for your decision or your refusal to join or financially support a labor organization. You may authorize your employer to deduct union dues or fees from your salary in the amounts specified in accordance with the labor organization's bylaws. You may revoke this authorization at any time."

Proposed law requires all authorizations to be submitted to the employer and contain the employee's full name, position, employee organization, and signature.

Proposed law requires, before starting any deductions, the employer to confirm the authorization by emailing the employee at his employer-provided email address and the employer shall wait for confirmation of the authorization before deducting any union dues or fees.

Proposed law provides that if the employee does not possess an employer-provided address, then the employer may use other means it deems appropriate to confirm the authorization.

Proposed law requires a labor organization or union to cover administrative costs incurred from the collection of labor organization dues or fees or costs incurred from an employee opting out of the collection of labor organization dues or fees.

Proposed law exempts law enforcement and firefighter services from the applicability of proposed law.

**PUBLIC EMPLOYEES**

Present law provides that any state, parish, or city employee may authorize his employing department, board, or agency to withhold from his salary a specific amount for the designated pay periods for payment of labor organization dues.

Proposed law retains present law.

Proposed law provides that upon submission of a written or electronic request to the employer, the employee shall have the right to immediately cease the withholding of dues or fees from his wages. Proposed law further provides, upon receipt of a request to withhold, the employer shall immediately provide written or electronic notification to the labor organization or union of the employee's decision.

Proposed law requires, upon receipt of the notification required by proposed law, the employer to cease any withholding of dues or fees from the employee's wages. Proposed law provides that the employee shall not accrue any further debt to the labor organization or union, and that his right to immediately discontinue any financial obligation to the labor organization or union shall not be waived.

Proposed law prohibits authorizations used for salary deductions for payment of labor organization or union dues or fees from exceeding one year in duration. Proposed law requires the authorization to be renewed annually and upon any increase in the total amount of dues or fees per annum in order to remain effective.

Proposed law provides that any prior authorization for deductions for payment of labor organization dues or fees shall be deemed invalid.

Proposed law prohibits an employer from deducting dues or fees without a valid authorization and provides that the employer shall immediately cease deduction of dues or fees once authorization becomes invalid.

Proposed law provides that proposed law shall apply prospectively to any new collective bargaining agreement or contract that is entered into or any existing collective bargaining agreement that is modified, extended, or otherwise affected by a new or modified memorandum of understanding.

Proposed law requires the employer to provide written or email notification, at least annually, advising the employee of his right to cease payment of organization dues or fees and to withdraw membership from the labor organization or union.

Proposed law provides that all authorizations shall be on a form prescribed by the attorney general and contain the following statement in 14-point boldface font.

"The state of La. wishes to inform you that you have a First Amendment right to join or refrain from joining and paying dues or fees to a labor organization. Membership and payment of dues or fees are voluntary, and you may not be discriminated against for your decision or your refusal to join or financially support a labor organization. You may authorize your employer to deduct union dues or fees from your salary in the amounts specified in accordance with the labor organization's bylaws. You may revoke this authorization at any time."

Proposed law requires all authorizations to be submitted to the employer and contain the employee's full name, position, employee organization, and signature.

Proposed law prohibits the employer from deducting any portion of an employee's salary for payment of labor organization or union dues or fees without emailed receipt of confirmation of the employee's authorization from the employee's employer-provided email address.



Proposed law provides that if the employee does not possess an employer-provided email address, then the employer may use other means it deems appropriate to confirm the authorization.

Proposed law requires a labor organization or union to cover administrative costs incurred from the collection of labor organization dues or fees or costs incurred from an employee opting out of the collection of labor organization dues or fees.

Proposed law allows an employer to petition the secretary of the La. Workforce Commission (LWC) to waive compliance with requirements of present law and proposed law (R.S. 42:457), if the employer receives notice from the United States Dept. of Labor that the employer's protective arrangement covering mass transit employees does not meet the requirements of certain provisions of federal law.

Proposed law allows the secretary of LWC to waive any of the requirements of present law and proposed law (R.S. 42:457) for a labor organization or union serving as an exclusive representative of mass transit employees.

Proposed law exempts law enforcement and firefighter services from the applicability of proposed law.

Proposed law provides that provisions of proposed law (R.S. 17:438(E)(4) and (G) and 42:457(B)(4) and (D)) shall become applicable after Aug. 1, 2025.

(Amends R.S. 42:457; Adds R.S. 17:438(E)-(H))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Labor and Industrial Relations to the original bill:

1. Make title and technical changes.
2. Require labor organizations and unions to cover administrative costs incurred from the collection of labor organization dues or fees or costs incurred from an employee opting out of the collection of such dues or fees.

#### The House Floor Amendments to the engrossed bill:

1. Make title and technical changes.
2. Allow an employer to petition LWC for waiver of certain requirements if the employer's protective arrangement for mass transit employees as required by federal law is not in compliance with federal law.
3. Allow the secretary of LWC to waive certain requirements of present law and proposed law in order for an employer to comply with requirements provided for in federal law in regards to mass transit employees.