
DIGEST

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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.