

2026 Regular Session

SENATE BILL NO. 312

BY SENATOR TALBOT AND REPRESENTATIVE MELERINE

EMPLOYMENT. Provides relative to dues or fees for teachers and other school employees.  
(8/1/26)

1 AN ACT

2 To amend and reenact R.S. 23:982 and R.S. 42:457 and to enact R.S. 17:438(E) through (H)

3 and R.S. 23:983.1 through 983.3, relative to labor organizations; to provide relative

4 to employee contributions to labor organizations; to provide relative to employee

5 withdrawals from labor organizations; to provide relative to collective bargaining

6 agreements or contracts; to provide for reporting and notification requirements; to

7 provide for costs; to provide relative to definitions; and to provide for related

8 matters.

9 Be it enacted by the Legislature of Louisiana:

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

11 §438. Permitted withholdings; exceptions

12 \* \* \*

13 E.(1) Upon the submission of a written or electronic request to the

14 employer, the employee shall have the right to immediately cease any

15 withholding of dues or fees from his wages. Upon receipt of a request from the

16 employee to cease the withholding, the employer shall immediately provide

17 written or electronic notification to the labor organization or union of the

1 employee's decision.

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

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

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

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

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

26 (2) All authorizations shall be on a form prescribed by the attorney  
27 general and contain 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

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

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

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

19 H. The provisions of this Section shall not apply to law enforcement and  
 20 firefighters.

21 Section 2. R.S. 23:982 is hereby amended and reenacted and R.S. 23:983.1 through  
 22 983.3 are hereby enacted to read as follows:

23 §982. Labor organization

24 The term "labor organization" means any association or organization of  
 25 employees, and any ~~kind, or~~ agency or employee representation committee, which  
 26 exists for the purpose, in whole or in part, of dealing with public and private sector  
 27 employers concerning grievances, labor disputes, wages, rates of pay, hours of  
 28 work or other conditions of employment, but does not include organizations  
 29 governed by the National Labor Relations Act, 29 U.S.C. 151 et seq., or the

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Railway Labor Act, 45 U.S.C. §151, et seq.

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§983.1. Voluntary payments

A. It shall be unlawful for an employer to deduct from the wages, earnings or compensation of an employee any union dues, fees, assessments, or other charges to be held for, transferred to, or paid over to a labor organization for political activities as defined in R.S. 23:983.2.

B. Nothing in this Chapter shall prohibit an employee from personally paying contributions to a labor organization for political activities as defined in R.S. 23:983.2, unless such payment is prohibited by law.

§983.2. Definitions.

As used in this Chapter the following terms have the following meanings:

(1) "Ballot measure" means referenda, proposed constitutional amendments, and any other items submitted to the voters for their approval or rejection.

(2) "Filing entity" means a candidate, officeholder, political committee, political party, and each other entity required to report contributions under R.S. 18:1481, et seq.

(3) "Fund" means the separate segregated fund, including within a political action committee, established by a labor organization for political purposes according to the procedures and requirements of this Chapter.

(4) "Political activities" means electoral activities, independent expenditures, or expenditures made to a filing entity or in support of or against any ballot measure.

(5) "Union dues" means dues, fees or other monies required as a condition of membership in a labor organization.

§983.3. Limits on labor organization contributions

A.(1) A labor organization may only make expenditures for political activities if it establishes a fund that meets the requirements of R.S.23:983.2(3).

1                   **(2) The labor organization shall ensure that:**

2                   **(a) In soliciting contributions for the fund, the solicitor discloses, in clear**  
3                   **and unambiguous language on the face of the solicitation, that contributions are**  
4                   **voluntary and that the fund is a political fund and will be expended for political**  
5                   **activities.**

6                   **(b) Union dues are not used for political activities, transferred to the**  
7                   **fund, or intermingled in any way with fund monies.**

8                   **(c) The cost of administering the fund is paid from fund contributions**  
9                   **and not from union dues.**

10                  **(d) Each contribution is voluntary and shall be made by the member and**  
11                  **may not come from or be remitted by the employer of the member.**

12                  **B. At the time the labor organization is soliciting contributions for the**  
13                  **fund from an employee, the labor organization shall:**

14                  **(1) Affirmatively inform the employee, in writing, of the fund's political**  
15                  **purpose.**

16                  **(2) Affirmatively inform the employee, in writing, of the employee's**  
17                  **right to refuse to contribute without fear of reprisal or loss of membership in**  
18                  **the labor organization.**

19                  **C. The labor organization shall not pay a member for contributing to the**  
20                  **fund by providing a bonus, expense account, rebate of union dues, or by any**  
21                  **other form of direct or indirect compensation.**

22                  **D. The labor organization has the burden of proof to establish that the**  
23                  **requirements of Subsections A, B, and C of this Section are met.**

24                  **E. Notwithstanding the requirements of Subsection (A)(2)(b) of this**  
25                  **Section, a labor organization may use union dues to lobby or communicate**  
26                  **directly with its own members about political candidates, ballot measures, and**  
27                  **other political issues.**

28                  Section 3. R.S. 42:457 is hereby amended and reenacted to read as follows:

29                  §457. Union dues

1           A. Any state, parish, or city employee may authorize his employing  
2 department, board, or agency to withhold from his salary a specific amount for such  
3 pay periods as may be designated, for payment of his dues to any labor organization  
4 to which he belongs and which he designates therein. In such cases, the employee  
5 ~~must~~ **shall** voluntarily execute and furnish to the employing department, board, or  
6 agency a written and specific authorization for such deductions; however, the  
7 employing authority may elect whether or not to make such deductions. Any amount  
8 withheld in accordance with the provisions of this Section shall be remitted on a  
9 regularly scheduled basis as prescribed by rules promulgated by the Division of  
10 Administration and administered by the state payroll office to the organization  
11 designated.

12           B.(1) Upon the submission of a written or electronic request to the  
13 employer, the employee shall have the right to immediately cease any  
14 withholding of dues or fees from his wages. Upon receipt of a request from the  
15 employee to cease the withholding, the employer shall immediately provide  
16 written or electronic notification to the labor organization or union of the  
17 employee's decision.

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

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

29           (b) The employer shall not deduct dues or fees without a valid

1 authorization and shall immediately cease deduction of dues or fees once  
2 authorization becomes invalid.

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

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

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

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

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

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

29 D. The labor organization or union shall be responsible for all

1           administrative costs incurred from the collection of labor organization dues or  
2           fees or from an employee opting out of the collection of labor organization dues  
3           or fees.

4           E.(1) After receiving notice by the United States Department of Labor  
5           that the employer's protective arrangement covering mass transit employees  
6           does not meet the requirements provided for in 49 U.S.C. 5333(b), which would  
7           jeopardize the employer's continued eligibility to receive Federal Transit  
8           Administration funding, an employer may petition the secretary of Louisiana  
9           Works to waive compliance with the requirements provided for in this Section.

10           (2) To the extent necessary, the secretary of Louisiana Works may waive  
11           any of the requirements provided for in this Section for a labor organization or  
12           union serving as exclusive representative of mass transit employees in order for  
13           an employer to comply with the requirements provided for in 49 U.S.C. 5333(b).

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

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

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DIGEST

SB 312 Original

2026 Regular Session

Talbot

Present law allows teachers and other employees of a parish or city school board to authorize payroll deductions for the payment of regular dues to any organization of teachers or other school employees.

Present law requires 50 or more teachers or other employees or 10% of the total number of employees, including teachers, whichever is less, to request the withholding in writing before deductions are made from the earnings of teachers or other employees.

Present law requires teacher and other employee withholdings to be remitted to the designated organization regularly.

Proposed law retains present law and provides that the teacher or other employee may stop his or her employer from deducting wages for the payment of dues or fees to any organization of teachers or other school employees. Proposed law further requires the employer to immediately provide written or electronic notification to any organization of teachers or other school employees of the employee's decision.

Proposed law provides that a teacher or other employees' right to stop deducting earnings for the payment of dues cannot be waived.

Proposed law provides that the authorization to deduct earnings must be renewed annually and upon the increase in the total amount of dues or fees per annum in order to remain effective.

Proposed law requires a state, parish, city, local or charter school board, or any other governmental agency to provide employees written or email notification annually of his or her right to withdraw from the teacher or other employee organization.

Proposed law exempts law enforcement and firefighters from the provisions of proposed law.

Proposed law makes it unlawful for an employer to deduct wages, earnings or compensation of an employee any union dues, fees, assessments, or other charges to be paid to a labor organization for political activities. Proposed law allows an employee to personally contribute to a labor organization or political activities unless otherwise prohibited by law.

Proposed law defines "ballot measure", "filing entity", "fund", "political activities", and "union dues".

Proposed law permits labor organizations who satisfy certain requirements to make expenditures for political activities.

Proposed law allows a labor organization to use union dues to lobby or communicate directly with its own members about political candidates, ballot measures, and other political issues.

Effective August 1, 2026.

(Amends R.S. 23:982 and R.S. 42:457; adds R.S. 17:438 (E)-(H) and R.S. 23:983.1 - 983.3)