

2026 Regular Session

SENATE BILL NO. 312

BY SENATOR TALBOT AND REPRESENTATIVE MELERINE

EMPLOYMENT. Provides relative to union dues and fees for certain public employees.  
(8/1/26)

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 relative to employee dues and fees to labor organizations;  
4 to provide relative to employee withdrawals from labor organizations; to provide  
5 relative to collective bargaining agreements or contracts; to provide for reporting and  
6 notification requirements; to provide for costs; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

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

9 §438. Permitted withholdings; exceptions

10 \* \* \*

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

17 (2) Upon receipt of the notification provided for in Paragraph (1) of this

1        Subsection, the employer shall cease withholding dues or fees from the  
2        employee's wages, and the employee shall not accrue any further debt to the  
3        labor organization or union. The employee's right to immediately discontinue  
4        any financial obligation to the labor organization or union shall not be waived.

5            (3) The employer shall not deduct dues or fees without a valid  
6        authorization.

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

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

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

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

27           (3) All authorizations shall be submitted to the employer and contain the  
28       employee's full name, position, employee organization, and signature. Before  
29       starting any deductions, the employer shall confirm the authorization by

1 emailing the employee at his employer-provided email address, and the  
2 employer shall wait for confirmation of the authorization before deducting any  
3 union dues or fees. If the employee does not possess an employer-provided email  
4 address, then the employer may use other means it deems appropriate to  
5 confirm the authorization.

6 G. The labor organization or union shall be responsible for all  
7 administrative costs incurred from the collection of labor organization dues or  
8 fees or from an employee opting out of the collection of labor organization dues  
9 or fees.

10 H. The provisions of this Section shall not apply to law enforcement and  
11 firefighters.

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

13 §457. Union dues

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

25 B.(1) Upon the submission of a written or electronic request to the  
26 employer, the employee shall have the right to immediately cease any  
27 withholding of dues or fees from his wages. Upon receipt of a request from the  
28 employee to cease the withholding, the employer shall immediately provide  
29 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 any withholding of 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) The employer shall not deduct dues or fees without a valid  
8 authorization.

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

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

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

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

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

29 (b) The employer shall not deduct any portion of an employee's salary

1 for purposes of payment of labor organization or union dues or fees without  
 2 emailed receipt of confirmation of the employee's authorization from the  
 3 employee's employer-provided email address. If the employee does not have an  
 4 employer-provided email address the employer may use other means it deems  
 5 appropriate to confirm the authorization.

6 D. The labor organization or union shall be responsible for all  
 7 administrative costs incurred from the collection of labor organization dues or  
 8 fees or from an employee opting out of the collection of labor organization dues  
 9 or fees.

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

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

20 F. The provisions of this Section shall not apply to law enforcement and  
 21 firefighters.

---

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)]

---

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 an employer cannot deduct dues or fees without a valid authorization.

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

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Labor and Industrial Relations to the original bill

1. Delete proposed law prohibiting a labor union from collecting union dues, fees, assessments, or other charges for political activities.
2. Delete proposed law requiring salary deduction authorizations to be renewed annually.
3. Provide that a valid authorization is required for any dues or fees deduction.