

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 (G), 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 (G) are hereby enacted to read as follows:

9 §438. Permitted withholdings; exceptions

10 * * *

11 **E.(1) Upon the submission of an electronic request to the labor**
12 **organization or union, the employee shall have the right to immediately cease**
13 **any withholding of dues or fees from his wages. Upon receipt of a request from**
14 **the employee to cease the withholding, the labor organization or union shall**
15 **immediately provide electronic notification to the labor organization or union**
16 **of the employee's decision. If the employer receives the employee's request to**
17 **cease withholding after payroll for the current pay period has been submitted**

1 or processed, the cessation of withholding shall take effect as soon as
2 practicable, but no later than the employee's next paycheck.

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

9 (3) This Subsection 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 F.(1) A labor organization or union shall notify the employee of his right
14 to cease payment of member dues or fees, and shall provide electronic
15 notification, at least annually, to the employee to inform him that he is allowed
16 to 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 and signature. Before starting any deductions, the
29 employer shall confirm the authorization by emailing the employee at his email

1 address. If the employee does not possess a labor organization or union-
2 provided email address, then the employer may use other means it deems
3 appropriate to confirm the authorization.

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

5 §457. Union dues

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

17 B.(1) Upon the submission of an electronic request to the labor
18 organization or union, the employee shall have the right to immediately cease
19 any withholding of dues or fees from his wages. Upon receipt of a request from
20 the employee to cease the withholding, the labor organization or union shall
21 immediately provide electronic notification to the labor organization or union
22 of the employee's decision. If the employer receives the employee's request to
23 cease withholding after payroll for the current pay period has been submitted
24 or processed, the cessation of withholding shall take effect as soon as
25 practicable, but no later than the employee's next paycheck.

26 (2) Upon receipt of the notification provided for in Paragraph (1) of this
27 Subsection, the employer shall cease any withholding of dues or fees from the
28 employee's wages, and the employee shall not accrue any further debt to the
29 labor organization or union. The employee's right to immediately discontinue

1 any financial obligation to the labor organization or union shall not be waived.

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

6 C.(1) A labor organization or union shall notify the employee of his right
7 to cease payment of member organization dues or fees, and shall provide
8 electronic notification, at least annually, to the employee to inform him that he
9 is allowed to withdraw from the organization.

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

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

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

22 (b) The employer shall not deduct any portion of an employee's salary
23 for purposes of payment of labor organization or union dues or fees without the
24 employee's authorization.

25 D.(1) After receiving notice by the United States Department of Labor
26 that the employer's protective arrangement covering mass transit employees
27 does not meet the requirements provided for in 49 U.S.C. 5333(b), which would
28 jeopardize the employer's continued eligibility to receive Federal Transit
29 Administration funding, an employer may petition the secretary of Louisiana

Works to waive compliance with the requirements provided for in this Section.

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

E. The provisions of this Section shall not apply to law enforcement and 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)]

DIGEST

SB 312 Reengrossed

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 labor organization or union to immediately provide electronic notification of the employee's decision.

Proposed law provides that if the employee's request to cease withholdings is received after payroll for the current pay period has been submitted or processed, the withholding will take effect no later than the employee's next paycheck.

Proposed law provides that a teacher or other employee's 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 exempts law enforcement and firefighters from the provisions of proposed law.

Effective August 1, 2026.

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

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.

Senate Floor Amendments to engrossed bill

1. Add that if an employee's request to cease withholdings is received after payroll for the current pay period has been submitted or processed, the withholding will take effect no later than the employee's next paycheck.
2. Add that a labor organization or union will notify the employee of his right to stop payment of member dues or fees.
3. Add that a labor organization will provide annual electronic notifications to employees informing the employee that he is allowed to withdraw from the organization.
4. Add that an employer may use an employee's labor organization or union provided email address, or any other means the employer deems appropriate to confirm an employee's authorization to deduct dues or fees.
5. Delete proposed law requiring the labor organization to be responsible for administrative costs incurred in the collection of labor organization dues or fees for an employee opting out of the collection of labor organization dues or fees.
6. Make technical changes.