

2024 Regular Session

HOUSE BILL NO. 523

BY REPRESENTATIVE WILDER

LABOR/COLLECTIVE BARGAIN: Provides relative to the election of a collective bargaining representative

1 AN ACT

2 To enact R.S. 23:988, relative to collective bargaining; to provide definitions; to provide for  
3 an election to certify a collective bargaining representative; to provide an exception  
4 for law enforcement and firefighter services; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:988 is hereby enacted to read as follows:

7 §988. Collective bargaining

8 A. In this Section, unless the context clearly indicates otherwise, the  
9 following terms shall have the meanings ascribed to them:

10 (1) "Collective bargaining representative" means a labor organization that  
11 engages in collective bargaining on a collective bargaining unit's behalf.

12 (2) "Collective bargaining unit" means a group of public employees  
13 represented by a single labor organization for purposes of collective bargaining.

14 (3) "Labor organization" means any organization of any kind, or agency or  
15 employee representation committee, which exists for the purpose, in whole or in part,  
16 of dealing with employers concerning wages, rates of pay, hours of work, or other  
17 conditions of employment.

18 (4) "Public employee" means any individual who is employed by a public  
19 employer.

1           (5) "Public employer" means the state of Louisiana or any branch,  
2           department, division, agency, authority, or parish, city, town, school board, or any  
3           political subdivision of this state.

4           (6) "Third-party election facilitator" means an entity that, as part of the  
5           entity's operations, provides impartial election administration, including ballot  
6           preparation, tabulation, and results certification.

7           B.(1) Beginning October 1, 2024, and every fourth year thereafter, a  
8           collective bargaining representative shall, at the collective bargaining representative's  
9           expense, engage a third-party election facilitator to conduct a secret ballot election  
10           to certify the collective bargaining representative.

11           (2) The third-party election facilitator shall conduct the election no later than  
12           December first.

13           C. If, in an election, greater than fifty percent of all employees in the  
14           collective bargaining vote in favor of certifying the collective bargaining  
15           representative, the collective bargaining representative may continue to serve as the  
16           representative of the collective bargaining unit.

17           D. Nothing in this Section shall provide a public employee a right to  
18           collective bargaining.

19           E. The provisions of this Section shall not apply to law enforcement and  
20           firefighter services.

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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)]

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HB 523 Reengrossed

2024 Regular Session

Wilder

**Abstract:** Provides relative to collective bargaining.

Proposed law defines "collective bargaining representative", "collective bargaining unit", "labor organization", "public employee", "public employer", and "third-party election facilitator".

Proposed law provides that beginning October 1, 2024, and every fourth year thereafter, a collective bargaining representative shall, at the collective bargaining representative's

expense, engage a third-party election facilitator to conduct a secret ballot election to certify the collective bargaining representative.

Proposed law provides that the third-party election facilitator shall conduct the election no later than December 1st.

Proposed law provides that if, in an election, greater than 50% of all employees in the collective bargaining vote in favor of certifying the collective bargaining representative, the collective bargaining representative may continue to serve as the representative of the collective bargaining unit.

Proposed law provides that nothing in the provisions of proposed law shall provide a public employee a right to collective bargaining.

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

(Adds R.S. 23:988)

#### Summary of Amendments Adopted by House

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

1. Make a technical change.

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

1. Change the date for a collective bargaining representative to engage with a third-party election facilitator to conduct a secret ballot election from Aug. 1, 2024, and every second calendar year thereafter, to Oct. 1, 2024, every fourth year thereafter.
2. Require more than 50% of all employees, instead of at least 60%, in the collective bargaining to vote in favor of certifying the collective bargaining representative, in order for the representative to continue to service.
3. Remove provisions of proposed law concerning certifying a collective bargaining representative.
4. Make a technical change.