

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 577

By: Senator J. Bryant

For An Act To Be Entitled

AN ACT TO REQUIRE APPLICATIONS FOR LABOR ORGANIZATION MEMBERSHIP TO CONTAIN A NOTICE OF PUBLIC EMPLOYEES' RIGHT TO JOIN OR REFRAIN FROM JOINING A LABOR ORGANIZATION; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE APPLICATIONS FOR LABOR ORGANIZATION MEMBERSHIP TO CONTAIN A NOTICE OF PUBLIC EMPLOYEES' RIGHT TO JOIN OR REFRAIN FROM JOINING A LABOR ORGANIZATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 14-58-103(b), concerning withholding of membership dues by a municipality, is amended to read as follows:

(b)(1) ~~Effective January 1, 2006, upon~~ Upon receipt of a written request signed by a full-time municipal employee who is represented by a union or professional association, the municipality ~~shall~~ may withhold membership dues of the union or professional association from the salary of the employee.

(2) The withholding request authorized by this section shall be on a form provided to the employee by the municipality, containing the information under § 21-1-1002.

SECTION 2. Arkansas Code § 19-4-1602(b), concerning payroll deductions for state employees, is amended to read as follows:



(b) If a state employee authorizes in writing the payroll deduction of dues of any union or professional association representing the employee, the agency ~~shall~~ may deduct the dues from the payroll of the employee and remit the dues to the organization.

SECTION 3. Arkansas Code § 19-4-1602, concerning payroll deductions for state employees, is amended to add an additional subsection to read as follows:

(d) A withholding request for a labor union as defined under § 21-1-1001 and authorized by this section shall be on a form provided to the employee by the public employer that complies with § 21-1-1002.

SECTION 4. Arkansas Code Title 21, Chapter 1, is amended to add an additional subchapter to read as follows:

Subchapter 10 – Public Employee Labor Organizations

21-1-1001. Definitions.

As used in this subchapter:

(1) “Labor organization” means any organization of any kind, including professional organizations, in which public employees participate and that exists for the purpose, in whole or in part, of dealing with public employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

(2) “Municipality” means:

(A) A city of the first class;

(B) A city of the second class;

(C) An incorporated town; or

(D) A city or town department, agency, board, or commission;

(3) “Public employee” means a person who performs a full-time or part-time service for wages, salary, or other remuneration for a public employer; and

(4) “Public employer” means:

(A) An agency, department, board, commission, division, office, bureau, council, authority, or other instrumentality of the state, including the offices of the various Arkansas elected constitutional officers

and the General Assembly and its agencies, bureaus, and divisions;

(B) A state-supported college, university, technical college, community college, or other institution of higher education or a department, division, or agency of a state institution of higher education;

(C) The Supreme Court, the Court of Appeals, the Administrative Office of the Courts, the circuit courts, and prosecuting attorneys' offices;

(D) A public school district, school, or an office or department of a public school district in Arkansas;

(E) A municipality;

(F) A county; or

(G) An improvement district.

21-1-1002. Membership applications and authorizations.

(a) Membership applications or authorizations distributed to public employees by a labor organization shall include the following statement:

"Both the laws of the State of Arkansas and the First Amendment to the United States Constitution protect public employees from being required to join or financially support a labor organization as a condition of employment. Public employees have the right to join and pay dues to a labor organization or to refrain from joining and paying dues to a labor organization. No public employee may be discriminated against in any manner for joining or financially supporting a labor organization or for refusing to join or financially support a labor organization."

(b) The statement required by subsection (a) of this section shall:

(1) Appear on the first page or fold of the membership form in at least twelve (12) point type, or in type at least ten percent (10%) of the largest size type used on the membership form, whichever is larger;

(2) Not be subject to the half-tone or screening process; and

(3) Be set apart from any other printed matter.

21-1-1003. Enforcement.

A violation of this subchapter is a deceptive and unconscionable trade practice under the Deceptive Trade Practices Act, § 4-88-101 et seq.