

HCS HBs 77, 91 & 95 -- FREEDOM TO WORK ACT

SPONSOR: Burlison

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Workforce Development and Workplace Safety by a vote of 7 to 3.

This substitute establishes the Freedom to Work Act, which specifies that no person as a condition or continuation of employment can be required to:

- (1) Become or refrain from becoming a member of a labor organization as defined in the substitute;
- (2) Pay dues, fees, assessments, or other charges to a labor organization; or
- (3) Pay to any charity or third party any equivalent amount in lieu of dues, fees, assessments, or other charges required of a member of a labor organization.

Any agreement, understanding, or practice between a labor organization and an employer that violates the rights of employees as guaranteed under these provisions will be unlawful, null and void, and of no legal effect.

Anyone violating a provision of the substitute will be guilty of a class C misdemeanor, and any person injured as a result of a violation of a provision of the substitute may recover all resulting damages, including costs and attorney fees, and will be entitled to injunctive relief against any violator or person threatening a violation.

Certain specified employers, employees, and agreements are exempt from the provisions of the substitute.

The substitute contains a referendum clause and will be submitted to qualified voters in August 2014.

PROPONENTS: Supporters say that right-to-work laws encourage job growth because businesses take this into consideration, and businesses will locate and relocate to Missouri with these laws in place.

Testifying for the bill were Representative Burlison; Missourians for Right to Work, Inc.; Mark Mix, National Right to Work Committee; Greg Hoberock, Associated Builders and Contractors; Jared Rodriguez, West Michigan Policy Forum; Lewis Uhler, National Tax Limitation Committee; National Federation of Independent

Business; Bruce Hillis; and Michael Kilgus.

OPPONENTS: Those who oppose the bill say that non-union members share the benefits negotiated by unions, and it is fair to make the non-union members pay a fee for the benefits. Right-to-work laws weaken unions and take away the best job security that a worker has - a union contract. Businesses are against right-to-work laws because they know that unions train their members, resulting in a highly skilled and qualified labor force.

Testifying against the bill were Missouri AFL-CIO; Adolphus Pruitt II, National Association for the Advancement of Colored People, Missouri State Conference; Department of Labor and Industrial Relations; United Steelworkers District 11; Plumbers and Pipefitters Local 562 (St. Louis); Sheet Metal, Air, and Rail Transportation, United Transportation Union; Jim Kabell, Missouri-Kansas Conference of Teamsters; Associated General Contractors of St. Louis; Plumbing Industry Council; Brotherhood of Locomotive Engineers and Trainmen; Byron Clemons, American Federation of Teachers St. Louis; Jeff Aboussie, St. Louis Building and Construction Trades; David Cook, UFCW Local 655; Service Employees International Union MO/KS State Council; Missouri National Education Association; International Union of Painters and Allied Trades, District Councils #2 and #3; and Shannon Weber, Carpenters' District Council of Greater St. Louis.