

HJR 35 -- LABOR ORGANIZATION PRACTICES

SPONSOR: Marshall

Upon voter approval, this proposed constitutional amendment declares it to be the public policy of the state that the right of an individual to work will not be denied or abridged on account of membership or lack thereof in any labor organization or labor union.

A person as a prerequisite to, or condition or continuation of employment cannot be required to:

- (1) Become or remain a member of a labor organization or labor union;
- (2) Resign from or refrain from membership in a labor organization or labor union; or
- (3) Pay dues, fees, assessments, or other charges to a labor organization or labor union unless the person annually consents in writing.

An employer, labor organization, or labor union cannot obtain contributions for political purposes on an automatic basis through a payroll deduction unless the employee or organization member consents to the contribution each year in writing.

Any person sustaining injury as a result of any act, threatened or performed, can petition a court for relief, and the court may grant and issue appropriate orders and may determine and award actual damages, costs, reasonable attorney fees, and punitive damages.

These prohibitions cannot be construed to prevent or make illegal the peaceful and orderly solicitation and persuasion by members of a labor organization or labor union to join an organization or union as long as the solicitation and persuasion does not include intimidation or the use or threat of use of force or reprisal.