

2024 Regular Session

SENATE BILL NO. 292

BY SENATOR SEABAUGH

PUBLIC EMPLOYEES. Creates recertification requirements for public employee labor organizations. (8/1/24)

1 AN ACT

2 To enact R.S. 23:983.1, relative to labor organizations; to provide relative to the
3 qualifications, election, and restrictions of a collective bargaining representative; to
4 provide definitions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:983.1 is hereby enacted to read as follows:

7 **§983.1 Requirements for public employee labor organizations**

8 **A. For the purposes of this Section:**

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

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

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

17 **(4) "Public employee" means any individual who is employed by a public**

1 employer.

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

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

8 B.(1) In 2024 and every even numbered calendar year thereafter, a
9 collective bargaining representative shall, at the collective bargaining
10 representative's expense, engage a third party election facilitator to conduct a
11 secret ballot election to certify the collective bargaining representative.

12 (2) The third party election facilitator shall conduct the election no later
13 than December 1, 2024, and December first of each year thereafter.

14 C.(1) If at least sixty percent of all the employees in the collective
15 bargaining unit vote in favor of certifying the collective bargaining
16 representative, the collective bargaining representative may continue as the
17 collective bargaining representative.

18 (2) If less than sixty percent of all employees in the collective bargaining
19 unit vote in favor of certifying the collective bargaining unit and the collective
20 bargaining unit is unrepresented in collective bargaining as of the later of
21 January first immediately following the election or the second January first
22 following the election, then the collective bargaining unit may not be included
23 in a substantially similar collective bargaining unit for twelve months after the
24 day on which the collective bargaining representative's representation stops.

25 (D) Nothing in this Section provides public employees a right to collective
26 bargaining.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Yoursheka D. Butler.

SB 292 Original

DIGEST
2024 Regular Session

Seabaugh

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

Proposed law requires the collective bargaining representative to engage a third-party election facilitator to conduct a secret ballot election.

Proposed law provides that a collective bargaining representative who receives at least 60% of the vote will continue as the collective bargaining unit's representative.

Proposed law further provides that a collective bargaining unit that receives less than 60% of the vote is unrepresented and may not be included in a substantially similar collective bargaining unit for 12 months after the day on which the collective bargaining representative's representation stops.

Proposed law does not provide public employees with a right to collective bargaining.

Effective August 1, 2024.

(Adds R.S. 23:983.1)