



AN ACT ONLY PROHIBITING UNION DUES AND OTHER ASSESSMENTS TO BE CHARGED TO NONMEMBER PUBLIC EMPLOYEES; AMENDING SECTION 39-31-401, MCA; AND REPEALING SECTION 39-31-204, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 39-31-401, MCA, is amended to read:

"39-31-401. Unfair labor practices of public employer. It is an unfair labor practice for a public employer to:

- (1) interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in 39-31-201;
- (2) dominate, interfere, or assist in the formation or administration of any labor organization. However, subject to rules adopted by the board under 39-31-104, an employer is not prohibited from permitting employees to confer with the employer during working hours without loss of time or pay.
- (3) discriminate in regard to hire or tenure of employment or any term or condition of employment in order to encourage or discourage membership in any labor organization. ~~However, nothing in this chapter or in any other statute of this state precludes a public employer from making an agreement with an exclusive representative to require, as a condition of employment, that an employee who is not or does not become a union member must have an amount equal to the union initiation fee and monthly dues deducted from the employee's wages in the same manner as checkoff of union dues.~~
- (4) discharge or otherwise discriminate against an employee because the employee has signed or filed an affidavit, petition, or complaint or given any information or testimony under this chapter; or
- (5) refuse to bargain collectively in good faith with an exclusive representative."

Section 2. Repealer. The following section of the Montana Code Annotated is repealed:

39-31-204. Right of nonassociation with labor organization on religious grounds -- requirements and procedure for assertion of right.

- END -

I hereby certify that the within bill,
HB 289, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2021.

President of the Senate

Signed this _____ day
of _____, 2021.

HOUSE BILL NO. 289

INTRODUCED BY M. REGIER, S. BERGLEE, E. BUTTREY, S. GALLOWAY, D. HARVEY, J. KEANE, J.

PATELIS, A. REGIER, K. SEEKINS-CROWE, B. TSCHIDA, B. USHER, D. ANKNEY, M. BLASDEL, J.
ELLSWORTH, C. GLIMM, G. HERTZ, D. KARY, K. REGIER, D. SALOMON, J. SMALL, C. SMITH, G. VANCE,
J. WELBORN

AN ACT ONLY PROHIBITING UNION DUES AND OTHER ASSESSMENTS TO BE CHARGED TO
NONMEMBER PUBLIC EMPLOYEES; AMENDING SECTION 39-31-401, MCA; AND REPEALING SECTION
39-31-204, MCA.