

HOUSE BILL NO. HB0058

Public sector bargaining.

Sponsored by: Representative(s) Kroeker

A BILL

for

1 AN ACT relating to labor relations; prohibiting collective  
 2 bargaining by public sector employees; declaring  
 3 legislative intent; providing definitions; prohibiting  
 4 strikes by public sector employees; repealing provisions  
 5 for collective bargaining by firefighters; and providing  
 6 for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 27-10-201 through 27-10-204 are  
 11 created to read:

12

CHAPTER 10

13

PUBLIC SECTOR LABOR RELATIONS

14

15

ARTICLE 2

16

IN GENERAL

17

1

2           **27-10-201. Declaration of public policy; definitions.**

3

4           (a) It is hereby declared to be the public policy of  
5 the state of Wyoming to promote harmonious, peaceful and  
6 cooperative relationships in governmental service between  
7 public employers and their employees and to protect the  
8 public by assuring effective and orderly operations of  
9 government. This policy is best effectuated by prohibiting  
10 collective bargaining in the public sector.

11

12           (b) For purposes of this chapter "public employee"  
13 means an employee of the state of Wyoming or any of its  
14 local governmental entities or other political  
15 subdivisions.

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17           **27-10-202. Public-sector collective bargaining**  
18 **prohibited.**

19

20           (a) No officer, agent or governing body of the state  
21 of Wyoming or any of its local governmental entities or  
22 other political subdivisions is vested with or possesses  
23 any authority to recognize any labor organization, union or  
24 other employee organization as a bargaining agent of any

1 public employees, or to collectively bargain or enter into  
2 any collective bargaining contract with any such  
3 organization or its agents concerning grievances, labor  
4 disputes, rates of pay, hours of employment, conditions of  
5 work or with respect to any other matter relating to those  
6 employees or their employment or governmental service.

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8 (b) Any agreement or contract entered into or  
9 extended in violation of subsection (a) after July 1, 2012  
10 is illegal, void and of no effect.

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12 **27-10-203. Public employee rights.**

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14 (a) No public employee may be denied the right to be  
15 a member of an organization of employees or be intimidated  
16 or coerced in a decision to communicate or affiliate with  
17 such an organization. Public employees may not be  
18 represented by employee organizations to negotiate  
19 collectively with their public employers in the  
20 determination of their terms and conditions of employment.

21

22 (b) No state or local government entity may require  
23 any person to become or remain a member of any labor  
24 organization, or to pay or refrain from paying any dues,

1 fees or other charges of any kind to any labor  
2 organization, as a condition of employment or continuation  
3 of employment.

4

5 (c) Any person injured or threatened with injury by  
6 any action or conduct prohibited by this section shall,  
7 notwithstanding any other law to the contrary, be entitled  
8 to damages and injunctive relief therefrom, including  
9 attorneys' fees and costs.

10

11 **27-10-204. Public employee strikes prohibited.**

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13 (a) It shall be unlawful for public employees to  
14 strike. If a strike occurs, the public employer may  
15 initiate, in the county where the strike occurs, an action  
16 for injunctive relief.

17

18 (b) It shall be unlawful for any public employer to:

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20 (i) Authorize, consent to or condone any  
21 strikes;

22

23 (ii) Pay or agree to pay a public employee for  
24 any day in which the employee participates in a strike; or

1

2 (iii) Pay or agree to pay any increase in  
3 compensation or benefits to any public employee in response  
4 to or as a result of any strike or any act which violates  
5 this act.

6

7 (c) It shall be unlawful for any official, director  
8 or representative of any public employer to authorize,  
9 ratify or participate in any violation of this section.

10

11 (d) A public employer may withhold some or all the  
12 wages otherwise due an employee who elects to participate  
13 in a strike in violation of this subsection.

14

15 **Section 2.** W.S. 27-10-101 through 27-10-109 are  
16 repealed.

17

18 **Section 3.** This act is effective July 1, 2012.

19

20

(END)