



Right to Work Bill in Missouri

<u>ALEC's Model Bill</u>	<u>HB 91</u>
<p>Section 3. {Labor organization.}</p> <p>The term "labor organization" means any organization of any kind, or agency or employee representation committee or union, that exists for the purpose, in whole or in part, of dealing with employers concerning wages, rates of pay, hours of work, other conditions of employment, or other forms of compensation.</p> <p>Section 4. {Freedom of choice guaranteed, discrimination prohibited.}</p> <p>No person shall be required, as a condition of employment or continuation of employment:</p> <p>(B) to become or remain a member of a labor organization;</p> <p>(C) to pay any dues, fees, assessments, or other charges of any kind or amount to a labor organization;</p> <p>(D) to pay to any charity or other third party, in lieu of such payments, any amount equivalent to or a pro-rata portion of dues, fees, assessments, or other charges regularly required of members of a labor organization.</p> <p>Section 6.</p> <p>Any agreement, understanding, or practice, written or oral, implied or expressed, between any labor organization and employer that violates the rights of employees as guaranteed by provisions of this</p>	<p>(2) "Labor organization", any organization of any kind or agency, or employee representation committee or union which exists for the purpose in whole or in part of dealing with employers concerning wages, rates of pay, hours of work, other conditions of employment, or other forms of compensation.</p> <p>2. No person shall be required as a condition or continuation of employment to:</p> <p>(1) Become or refrain from becoming a member of a labor organization;</p> <p>(2) Pay any dues, fees, assessments, or other similar charges however denominated of any kind or amount to a labor organization; or</p> <p>(3)... pay to any charity or other third party any amount equivalent to, or on a pro rata basis, any dues, fees, assessments, or other charges required of members of a labor organization.</p> <p>3. Any agreement, understanding, or practice, written or oral, implied or expressed, between any labor organization and employer that violates the rights of employees as guaranteed under this</p>

chapter is hereby declared to be unlawful, null and void, and of no legal effect.

Section 8. {Penalties.}

Any person who directly or indirectly violates any provision of this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine not exceeding (insert amount) or imprisonment for a period of not more than (insert time period), or both such fine and imprisonment.

Section 9. {Civil remedies.}

Any employee harmed as a result of any violation or threatened violation of the provisions of this chapter shall be entitled to injunctive relief against any and all violators or persons threatening violations and may in addition thereto recover any and all damages, including costs and reasonable attorney fees, of any character resulting from such violation or threatened violation. Such remedies shall be independent of and in addition to the penalties and remedies prescribed in other provisions of this chapter.

Section 10. {Duty to investigate.}

It shall be the duty of the prosecuting attorneys of each county (or the attorney general of this state) to investigate complaints of violation or threatened violations of this chapter and to prosecute all persons violating any of its provisions, and to take all means at their command to ensure its effective enforcement.

Section 11. {Prospective application.}

The provisions of this chapter shall apply to all contracts entered into after the effective date of this chapter and shall apply to any renewal or extension of any existing contract.

section is unlawful, null and void, and of no legal effect.

Any person who directly or indirectly violates any provision of this section shall be guilty of a class C misdemeanor.

Any person injured as a result of any violation or threatened violation of this section shall be entitled to injunctive relief against any and all violators or persons threatening violations. Any person injured as a result of any violation or threatened violation of this section may recover any and all damages of any character resulting from such violation or threatened violation including costs and reasonable attorney fees. Such remedies shall be independent of and in addition to the other penalties and remedies prescribed under this section.

The prosecuting attorney of each county and the attorney general of this state shall investigate complaints of violation or threatened violation of this section, prosecute any person violating this section, and use all means at their command to ensure the effective enforcement of this section.

This section shall not apply:

- (1) To employers and employees covered by the federal Railway Labor Act;
- (2) To federal employers and employees;
- (3) To employers and employees on exclusive federal enclaves; or
- (4) Where this section conflicts with or is preempted by federal law.

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