

HB 593, HCA 1 -- STATE EMPLOYEES' PROTECTION ACT

CO-SPONSORS: Deeken, Byrd, Crowell, Shoemaker (8), Bruns, Sander, Jetton, Crawford, Wilson (119), Parker, Goodman, Munzlinger, Moore

COMMITTEE ACTION: Voted "do pass" by the Committee on Judiciary by a vote of 10 to 8.

This bill prohibits certain deductions from state employees' paychecks unless the deduction is ordered by a court or specifically authorized by an employee. A written authorization for deductions relating to collective bargaining is required, and no state department can require an employee to make a contribution to a collective bargaining organization. The bill further prohibits the state from retaliating when an employee exercises the right to workers' compensation and also makes the state, as an employer, subject to the federal Family and Medical Leave Act and liable for violations of it. In both instances, the bill waives sovereign immunity for claims up to the limit established in statute.

HCA 1 -- Allows the State of Missouri to be subject to lawsuits for limited monetary damages (excluding punitive damages) in Missouri state courts for violations of the federal Americans with Disabilities Act and the federal Family and Medical Leave Act.

FISCAL NOTE: No impact on state funds.

PROPOSERS: Supporters say that the bill provides needed protections for state employees.

Testifying for the bill were Representatives Deeken and Byrd.

OPPOSERS: Those who oppose the bill say that non-union members reap the benefits of the union's collective bargaining and, therefore, should have to pay their fair share of the cost. The legislature should not try to micromanage union business.

Testifying against the bill were American Federation of State, County and Municipal Employees, Council 72; Service Employees International Union; Missouri AFL-CIO; Joplin Regional Center; and Missouri Federation of Teachers.

Julie Jinkens McNitt, Legislative Analyst