

HB 439 -- EMPLOYEE RIGHTS

SPONSOR: Hunter

COMMITTEE ACTION: Voted "do pass" by the Special Committee on Workforce Development and Workplace Safety by a vote of 7 to 5.

This bill specifies that no person as a condition of employment be required to:

- (1) Become or refrain from becoming a member of a union;
- (2) Pay dues, fees, assessments, or other charges to labor organizations; or
- (3) Pay to a third party any equivalent amounts in lieu of dues, fees, assessments, or other charges.

Any agreement between a labor organization and an employer that violates the rights of employees is null and void.

A person violating any provision of the bill will be guilty of a class C misdemeanor, and any person injured by a violation of the bill may recover all resulting damages.

Certain employers, employees, and agreements are exempt from the requirements of the bill.

FISCAL NOTE: No impact on state funds in FY 2008, FY 2009, and FY 2010.

PROPOSERS: Supporters say that 22 states currently have Right to Work laws. In these states, employees do not have to financially support a union at their workplace to keep their jobs. Workers employed in states without a Right to Work law see their earnings depleted by mandatory union dues that are spent in ways they have little or no control over. States having a Right to Work law are experiencing more business growth than states without a Right to Work law. The law does not outlaw unions, rather gives employees the right to chose to join or not join a union.

Testifying for the bill were Representative Hunter; Mark Mix, National Right to Work Committee; Missourians for Right to Work; Associated Industries of Missouri; National Federation of Independent Business; John Bode, Carthage Chamber of Commerce; Jim Blackford, Nodaway County Economic Development; Doug Sutton; and Associated Builders and Contractors, Heart of America Chapter.

OPPONENTS: Those who oppose the bill say that workers in non Right to Work states enjoy on average 7.5% higher wages and workers can oust a union today if a majority of a company's employees wish. States with Right to Work laws on average have 5% more workers without health care and 5% more children living in poverty. Right to Work laws are supported by special interest groups and do not reflect the will of the general population which is why these groups are attempting to pass a Right to Work law through legislation rather than by a vote of Missouri residents.

Testifying against the bill were Representative Meadows; Brotherhood of Locomotive Engineers and Trainmen; Terry Madden, United Food and Commercial Workers Local 88; Missouri/Kansas State Council, Service Employees' International Union; Missouri AFL-CIO; Missouri Federation of Teachers and School-Related Personnel; Curtis E. Chick, Jr., Sheet Metal Workers Local 36; American Federation of State, County and Municipal Employees Council 72; United Auto Workers, Missouri State Cap Council; United Transportation Union, Transportation Political Education League; Missouri Laborers' Legislative Committee; United Steelworkers District 11; Tim Luebbert, Unite Here; Carpenters' District Council of Kansas City; Carpenters' District Council of Greater St. Louis; Joseph L. Schulte, United Steelworkers; Mark Franken, Communications Workers of America Local 6; Missouri National Education Association; and Del Viehland, Teamsters Local 682.