

SB0264/173326/1

BY: Delegate Elmore

AMENDMENTS TO SENATE BILL 264
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “nonmembers;” insert “providing that an employee organization may negotiate to receive service fees from nonmembers as a condition of employment subject to a certain limitation on the amount of the fees;”; and in line 11, before “and” insert “providing that certain service fees may only be collected from certain individuals if certain conditions are met;”.

AMENDMENT NO. 2

On page 2, in line 4, strike “**EXCEPT**” and substitute “**SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION AND EXCEPT**”; and after line 36, insert:

“(4) AN EMPLOYEE ORGANIZATION MAY NEGOTIATE TO RECEIVE SERVICE FEES FROM NONMEMBERS AS A CONDITION OF EMPLOYMENT, BUT THE AMOUNT OF THE SERVICE FEES MAY NOT EXCEED THE NONMEMBER’S PRO RATA SHARE OF THOSE EXPENDITURES THAT ARE GERMANE TO THE EMPLOYEE ORGANIZATION’S COLLECTIVE BARGAINING ACTIVITIES UNDER THIS TITLE.

(5) (I) ANY SERVICE FEE RECEIVED FROM NONMEMBERS SHALL BE COLLECTED AS FOLLOWS:

1. UPON THE EXCLUSIVE REPRESENTATIVE SHOWING THAT AT LEAST 51% OF ITS MEMBERS PAY SERVICE FEES AS MEMBERS OF THE EMPLOYEE ORGANIZATION, SERVICE FEES MAY BE COLLECTED FROM NEW EMPLOYEES HIRED INTO THE BARGAINING UNIT AFTER THE DATE OF RATIFICATION OF THE MEMORANDUM OF UNDERSTANDING

(Over)

CONTAINING ANY PROVISION ADDRESSING THE COLLECTION OF SERVICE FEES;
AND

2. UPON THE EXCLUSIVE REPRESENTATIVE SHOWING THAT AT LEAST 81% OF ITS MEMBERS PAY SERVICE FEES AS MEMBERS OF THE EMPLOYEE ORGANIZATION, SERVICE FEES MAY BE COLLECTED FROM ALL EMPLOYEES IN THE BARGAINING UNIT AS A CONDITION OF EMPLOYMENT, REGARDLESS OF THE DATE ON WHICH THE EMPLOYEE WAS HIRED.

(II) SUBPARAGRAPH (I)2 OF THIS PARAGRAPH SHALL REMAIN IN EFFECT AS LONG AS THE EXCLUSIVE REPRESENTATIVE ANNUALLY CERTIFIES TO THE BOARD THAT 81% OF ITS MEMBERS PAY SERVICE FEES TO THE EMPLOYEE ORGANIZATION.”.