

HOUSE BILL No. 4252

February 15, 2001, Introduced by Reps. Gosselin, Garcia, Voorhees, Birkholz, Ehardt, Meyer, Vander Roest, Bishop, Vear and Jansen and referred to the Committee on Employment Relations, Training and Safety.

A bill to require certain labor organizations to obtain an individual's written authorization on a specified form before using certain dues or fees paid by the individual for political, social, charitable, or other activities that are not related to collective bargaining, contract administration, or grievance processing; to impose certain duties on certain departments; and to provide for penalties and remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "contribution disclosure act".

3 Sec. 2. As used in this act:

4 (a) "Labor organization" means that term as defined in sec-
5 tion 2 of 1939 PA 176, MCL 423.2.

6 (b) "Written authorization form" means a document described
7 in section 4 that is signed by an individual who is required to

1 pay dues or fees to a labor organization under a collective
2 bargaining agreement or other agreement authorized by law.

3 Sec. 3. A labor organization that accepts payment of dues
4 or fees from an individual as a condition of that individual's
5 employment in accordance with a collective bargaining agreement
6 or other agreement authorized by law shall not expend any portion
7 of those dues or fees for political, social, charitable, or other
8 activities that are not related to collective bargaining, con-
9 tract administration, or grievance processing unless the labor
10 organization has obtained the individual's written authorization
11 on a written authorization form described in section 4 at least
12 once each calendar year.

13 Sec. 4. A written authorization required under this act
14 shall be on a form that states the following, using at least
15 12-point print:

16 "A labor organization may solicit and obtain funds from you
17 for political, ideological, social, or charitable events or
18 activities, lobbying for legislation, organizing employees of
19 other employers, or other activities that are not collective bar-
20 gaining, contract administration, or grievance processing on an
21 automatic basis, including, but not limited to, a payroll deduc-
22 tion plan, only if you affirmatively consent in writing to the
23 contribution at least once every calendar year.

24

25 Your dues or fees for membership in, or union representation
26 from, the _____ are _____ dollars and _____ cents

1 (\$_____) for the year beginning _____ and ending
2 _____
3 _____
4 _____ dollars and _____ cents (\$_____, or
5 _____%) of your dues or fees may be used for political,
6 ideological, social, or charitable events or activities, lobbying
7 for legislation, organizing employees of other employers, or
8 other activities that are not collective bargaining, contract
9 administration, or grievance processing only if you voluntarily
10 consent below.

11

12 Under state and federal law, you do not have to pay this
13 amount. This amount will be subtracted from the dues or fees you
14 owe if you do not sign this form to have your dues or fees used
15 for organizing employees of other employers, lobbying, or partic-
16 ipating in political, social, charitable, or other ideological
17 activities that are not related to collective bargaining, con-
18 tract administration, or grievance processing.

19

20 I, _____, voluntarily authorize _____ to use
21 \$_____ (_____%) of my dues or fees for political, ideo-
22 logical, social, or charitable events or activities, lobbying for
23 legislation, organizing employees of other employers, or other
24 activities that are not collective bargaining, contract adminis-
25 tration, or grievance processing.

1 _____
 2 Employee Signature Date
 3

4 cc: Your Employer
 5 Your Union President".
 6

7 Sec. 5. The department of consumer and industry services
 8 shall prepare and make available to a labor organization upon the
 9 labor organization's request a written authorization form
 10 described in section 4.

11 Sec. 6. (1) If a labor organization that has not obtained
 12 an individual's signature on a written authorization form in
 13 accordance with this act expends all or a portion of an
 14 individual's dues or fees for political, social, charitable, or
 15 other activities unrelated to collective bargaining, contract
 16 administration, or grievance processing, the labor organization
 17 is liable to the individual for double all of the following, plus
 18 reasonable attorney fees and costs:

19 (a) The amount of dues or fees that were collected from the
 20 individual without the individual's express consent on a written
 21 authorization form.

22 (b) Interest at the lawful rate.

23 (2) In addition to awarding money damages under subsection
 24 (1), a court may award equitable relief to an individual injured
 25 by a violation of this act.