

HOUSE BILL NO. HB0178

Public unions-transparency and dues withdrawal limitations.

Sponsored by: Representative(s) Williams, Bear and
Haroldson and Senator(s) Boner, Hicks,
Pearson and Steinmetz

A BILL

for

1 AN ACT relating to labor and employment; prohibiting public
2 employers and specified organizations from automatic
3 deductions of dues and uniform assessments as specified;
4 requiring reports by public employee unions to members as
5 specified; specifying penalties; providing and amending
6 definitions; making conforming amendments; repealing
7 obsolete provisions; specifying applicability; and
8 providing for an effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

12 **Section 1.** W.S. 27-7-116 is created to read:

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14 **27-7-116. Public employee labor organizations;**
15 **limitations on support; reporting requirements.**

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2 (a) No public employer, nor its agents or
3 representatives or any persons acting on behalf of the
4 public employer, shall use or authorize the use of public
5 funds or facilities to support or fundraise for a labor
6 organization by:

7

8 (i) Deducting dues, fees, assessments, fines or
9 contributions from the pay of any public employee on behalf
10 of a:

11

12 (A) Labor organization or its affiliate;

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14 (B) Political action committee governed
15 under title 22, chapter 25 of the Wyoming statutes;

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17 (C) Political organization as defined by 26
18 U.S.C. § 527(e) (1);

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20 (D) Political committee as defined by 52
21 U.S.C. § 30101(4).

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1 (b) Except as provided by subsection (d) of this
2 section and not later than February 15 of each year, each
3 labor organization with public employees as members, and
4 each affiliate of a labor organization, shall prepare and
5 submit a report that shall include, at a minimum, all of
6 the following as of the end of the labor organization's
7 most recent fiscal year:

8

9 (i) The number of public employees who are
10 represented by the labor organization for the purposes of
11 collective bargaining with a public employer;

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13 (ii) The number of public employees paying the
14 dues, fees or other charges required for membership in the
15 labor organization;

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17 (iii) The amount of revenue the labor
18 organization collected in dues, fees, contributions and
19 other charges from members and from other sources, itemized
20 by category;

21

22 (iv) The total amount the labor organization
23 expended to:

1

2 (A) Support or oppose any candidate for
3 federal, state or local public office;

4

5 (B) Influence the passage or defeat of any
6 federal or state legislation, federal or state regulation,
7 local ordinance or resolution or any ballot measure;

8

9 (C) Engage in litigation or secure or
10 provide other legal services;

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12 (D) Compensate independent contractors,
13 consultants and vendors; and

14

15 (E) An itemized list of all receipts from,
16 or disbursements to, a person if the aggregate total of the
17 transactions during the labor organization's fiscal year is
18 not less than five thousand dollars (\$5,000.00).

19

20 (c) For each report prepared under subsection (b) of
21 this section, the labor organization shall:

22

1 (i) Distribute the report to each of its
2 members;

3

4 (ii) Publish the report on the labor
5 organization's website; and

6

7 (iii) Make the report available to any person
8 upon request.

9

10 (d) A labor organization that for the applicable
11 fiscal year prepares and files a federal labor organization
12 annual report, form LM-2, with the United States department
13 of labor shall not be required to prepare or distribute the
14 annual report required under subsection (b) of this
15 section.

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17 (e) Any person who violates this section shall be
18 guilty of a misdemeanor.

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20 (f) Any person may file a complaint alleging a
21 violation of this section with the attorney general or the
22 district attorney of the county in which the violation is
23 alleged to have occurred. The attorney general or district

1 attorney, as applicable, may investigate and prosecute
2 violations of this section.

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4 (g) Nothing in this section shall be construed to:

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6 (i) Authorize a governmental entity that does
7 not independently possess the authority to engage in
8 collective bargaining with a labor organization;

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10 (ii) Permit any conduct prohibited by W.S.
11 9-13-105;

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13 (iii) Permit a public employee to be required to
14 have a connection with a labor organization as a condition
15 of employment, in violation of W.S. 27-7-112;

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17 (iv) Impair the right of fire fighters to
18 collectively bargain as provided by W.S. 27-10-101 through
19 27-10-109;

20

21 (v) Require a governmental entity to take
22 actions that would violate 49 U.S.C. § 5333(b) or

1 jeopardize its continued eligibility to receive federal
2 transit administration funding;

3

4 (vi) Prohibit a public employee from paying
5 dues, fees, contributions or other charges directly to a
6 labor organization or a political fund organized by or
7 associated with the labor organization.

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9 **Section 2.** W.S. 27-7-108 by creating a new subsection
10 (c) is amended to read:

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12 **27-7-108. Right to work; definitions.**

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14 (c) As used in this act:

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16 (i) "Labor organization" means any organization,
17 or any agency or employee representation committee, plan or
18 arrangement, in which employees participate and that exists
19 for the purpose, in whole or in part, of dealing with
20 employers concerning grievances, labor disputes, wages,
21 rates of pay, hours of employment or conditions of work;

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