

HB 637 -- LABOR ORGANIZATIONS

SPONSOR: Helms

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Economic Development by a vote of 7 to 5. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 10 to 3.

This bill provides that a public employee shall have the right to bargain independently with his or her public employer. No agreement between a public employer and an employee organization shall require the employee organization to represent public employees who are not members of the organization. No collective bargaining agreement shall limit a public employee's ability to negotiate or adjust grievances with the public employer. The State Board of Mediation shall designate only one exclusive bargaining representative in an appropriate unit of public employees.

The bill further provides that no agreement between an employee organization and a public employer shall link wages or conditions of employment of public employees who are members of the organization with non-members. No independent bargaining, as defined in this bill, shall grant different rights or privileges to public employees, or different duties or obligations for a public employer, to public employees who represent themselves in a unit with an exclusive bargaining representative than public employees in a unit without an exclusive bargaining representative.

PROPOSERS: Supporters say that the bill fosters an environment where public sector employees may negotiate the terms of their employment, and that the bill addresses the "free rider" problem whereby public unions support nonmembers without full compensation.

Testifying for the bill were Representative Helms; Vincent Vernuccia, Mackinac Center; and Terry Bowman, Union Conservatives, Inc.

OPPOSERS: Those who oppose the bill say that the bill is an unnecessary interference of public unions' collective bargaining, effectiveness, and advocacy potential, and that the bill will increase the administrative costs of public employers. Neither public employees or employers want the bill. This bill could also potentially ban the negotiation of employee unit wide benefits for public employees such as vacation time and health care.

Testifying against the bill were Missouri National Education Association; Clark W. Brown, SEIU (Service Employees Intl. Union) MO/KS State Council; Missouri AFL-CIO; Mid-Missouri Fellowship of

Reconciliation; AFT Missouri; and Empower Missouri (formerly Missouri Association For Social Welfare).