

1 State of Arkansas
2 94th General Assembly
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4

A Bill

SENATE BILL 577

5 By: Senator J. Bryant
6

For An Act To Be Entitled

8 AN ACT TO REQUIRE APPLICATIONS FOR LABOR ORGANIZATION
9 MEMBERSHIP TO CONTAIN A NOTICE OF PUBLIC EMPLOYEES'
10 RIGHT TO JOIN OR REFRAIN FROM JOINING A LABOR
11 ORGANIZATION; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 TO REQUIRE APPLICATIONS FOR LABOR
15 ORGANIZATION MEMBERSHIP TO CONTAIN A
16 NOTICE OF PUBLIC EMPLOYEES' RIGHT TO JOIN
17 OR REFRAIN FROM JOINING A LABOR
18 ORGANIZATION.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 14-58-103(b), concerning withholding of
25 membership dues by a municipality, is amended to read as follows:

26 (b)(1) ~~Effective January 1, 2006, upon~~ Upon receipt of a written
27 request signed by a full-time municipal employee who is represented by a
28 union or professional association, the municipality ~~shall~~ may withhold
29 membership dues of the union or professional association from the salary of
30 the employee.

31 (2) The withholding request authorized by this section shall be
32 on a form provided to the employee by the municipality, containing the
33 information under § 21-1-1002.
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35 SECTION 2. Arkansas Code § 19-4-1602(b), concerning payroll deductions
36 for state employees, is amended to read as follows:



1 (b) If a state employee authorizes in writing the payroll deduction of
2 dues of any union or professional association representing the employee, the
3 agency ~~shall~~ may deduct the dues from the payroll of the employee and remit
4 the dues to the organization.

5
6 SECTION 3. Arkansas Code § 19-4-1602, concerning payroll deductions
7 for state employees, is amended to add an additional subsection to read as
8 follows:

9 (d) A withholding request for a labor union as defined under § 21-1-
10 1001 and authorized by this section shall be on a form provided to the
11 employee by the public employer that complies with § 21-1-1002.

12
13 SECTION 4. Arkansas Code Title 21, Chapter 1, is amended to add an
14 additional subchapter to read as follows:

15 Subchapter 10 – Public Employee Labor Organizations

16
17 21-1-1001. Definitions.

18 As used in this subchapter:

19 (1) “Labor organization” means any organization of any kind,
20 including professional organizations, in which public employees participate
21 and that exists for the purpose, in whole or in part, of dealing with public
22 employers concerning grievances, labor disputes, wages, rates of pay, hours
23 of employment, or conditions of work;

24 (2) “Municipality” means:

25 (A) A city of the first class;

26 (B) A city of the second class;

27 (C) An incorporated town; or

28 (D) A city or town department, agency, board, or
29 commission;

30 (3) “Public employee” means a person who performs a full-time or
31 part-time service for wages, salary, or other remuneration for a public
32 employer; and

33 (4) “Public employer” means:

34 (A) An agency, department, board, commission, division,
35 office, bureau, council, authority, or other instrumentality of the state,
36 including the offices of the various Arkansas elected constitutional officers

1 and the General Assembly and its agencies, bureaus, and divisions;

2 (B) A state-supported college, university, technical
3 college, community college, or other institution of higher education or a
4 department, division, or agency of a state institution of higher education;

5 (C) The Supreme Court, the Court of Appeals, the
6 Administrative Office of the Courts, the circuit courts, and prosecuting
7 attorneys' offices;

8 (D) A public school district, school, or an office or
9 department of a public school district in Arkansas;

10 (E) A municipality;

11 (F) A county; or

12 (G) An improvement district.

13
14 21-1-1002. Membership applications and authorizations.

15 (a) Membership applications or authorizations distributed to public
16 employees by a labor organization shall include the following statement:

17 "Both the laws of the State of Arkansas and the First Amendment to the
18 United States Constitution protect public employees from being required to
19 join or financially support a labor organization as a condition of
20 employment. Public employees have the right to join and pay dues to a labor
21 organization or to refrain from joining and paying dues to a labor
22 organization. No public employee may be discriminated against in any manner
23 for joining or financially supporting a labor organization or for refusing to
24 join or financially support a labor organization."

25 (b) The statement required by subsection (a) of this section shall:

26 (1) Appear on the first page or fold of the membership form in
27 at least twelve (12) point type, or in type at least ten percent (10%) of the
28 largest size type used on the membership form, whichever is larger;

29 (2) Not be subject to the half-tone or screening process; and

30 (3) Be set apart from any other printed matter.

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32 21-1-1003. Enforcement.

33 A violation of this subchapter is a deceptive and unconscionable trade
34 practice under the Deceptive Trade Practices Act, § 4-88-101 et seq.