

SHORT TITLE: Joint resolution; prohibiting requirement that a person be a member of a labor organization or pay dues or similar fees to a labor organization in order to be hired or remain employed; requiring employers to provide certain benefits; ballot title; filing; special election.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE JOINT  
RESOLUTION NO. 1

By: Long

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of the State of Oklahoma by adding a new Section 5A to Article XXIII; prohibiting the requirement that a person be a member of a labor organization or pay dues or similar fees to a labor organization in order to be hired or remain employed; providing option for receiving representation under collective bargaining upon payment of certain assessment or making certain contribution; requiring employers to provide certain benefits for their employees; requiring forty-eight-hour written notice prior to terminating an employee; providing ballot title; directing filing; and providing for special election.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
1ST SESSION OF THE 46TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Article 23 of the Constitution of the State of Oklahoma by adding a new Section 5A to read as follows:

Section 5A. A. No person shall be required to be a member or become a member of a labor organization or to pay any dues, fees, assessments, or other charges of any kind or amount to a labor organization, in order to be hired or remain employed by any employer.

B. 1. A person may choose to be a member of a labor organization, be represented by the labor organization in all normal functions covered in the bylaws and collective bargaining agreement,

pay such dues, fees and assessments as required, and enjoy the rights to participate in the governing of the labor organization.

2. A person may choose not to be a member of a labor organization, thereby voiding any right to participate in the governing of the labor organization, but, instead, to pay an annual assessment or to contribute a like amount to charity which shall be no more than ninety percent (90%) of the annual "core dues", as such dues are required and established by the National Labor Relations Board, in order to receive representation as covered by collective bargaining.

3. A person may choose not to be a member of a labor organization nor to pay the annual assessment or contribution set forth in paragraph 2 of this section. Such person shall not be covered by the terms of any collective bargaining agreement, and the labor organization shall have no obligation to represent the person or expend any resources on behalf of the person.

C. Every employer in this state shall provide the following benefits for its full-time and part-time employees:

1. Health insurance coverage which meets the criteria set forth for applicants of the Oklahoma Quality Jobs Program;

2. A minimum of ten (10) days of paid sick leave annually; provided, part-time employees may be compensated only for the hours normally worked during any day for which sick leave is taken; and

3. A minimum of ten (10) days of paid vacation annually; provided part-time employees may be compensated only for the hours normally worked during any day for which vacation is taken.

D. No employer in this state may terminate an employee unless the employer provides written notification of the termination to the employee at least forty-eight (48) hours in advance of the termination.

E. The provisions of this section shall apply to all contracts entered into, renewed or extended after the date of the approval of the resolution by a vote of the people.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure adds a new section to the Constitution. It states that no person will be required to be a union member in order to have or keep a job. No person will be required to pay dues or similar fees to a union in order to have or keep a job. It gives a person the option to belong to a union. If a person does not want to belong to a union but wants to benefit from union representation, they may pay a reduced fee to the union or a charity.

This measure also requires employers to provide benefits to their workers. These benefits are health insurance, sick leave, and vacation. Employers must give written notice at least forty-eight (48) hours in advance of ending a worker's employment.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

   / YES, FOR THE AMENDMENT

   / NO, AGAINST THE AMENDMENT

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next statewide

primary runoff election, at which time the proposed amendment to the Constitution of the State of Oklahoma, as set forth in SECTION 1 of this resolution, shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

46-1-0229

JY