



GOVERNMENT TRANSPARENCY AND DUES COLLECTION FACT SHEET

SB 13 (Huffman, et al.) & HB 510 (S. Davis) would:

- Prohibit the state or political subdivision of the state from collecting membership dues from any public employee on behalf of a trade union, labor union, employees' association, or professional association.

SB 13/HB 510 would NOT:

- Prohibit a public employee from joining a union or association of their choice.
- Take away any freedoms of association or free speech.
- Prohibit any union or association from collecting their own dues.

SUMMARY:

Currently, public sector unions negotiate contracts with Texas governmental entities to gain access to public employee paychecks through the collection of union membership dues by the governing agency. Membership dues revenue is the primary source of funding for labor unions' lobbying and litigation efforts. These funds can also be used to target local businesses for union organizing drives.

All of these activities will still be permitted by law, as well as the voluntary participation by any public employee in a union or association, however state and local government will not be allowed to act as the membership dues collector for a union or association.

Ultimately, government should not tilt the playing field on the side of one party or the other, whether it is a labor union, trade union, employees' association or professional association. Individuals have the unfettered free will to join a union or association, and should do so independent of the state or political subdivision. If a public employee desires a union or association's services, they will be willing to pay for it.

Proposition 3 on the Republican Primary Ballot: 83% of Texans voted to prohibit government from being the dues collector for unions and associations.

NFIB Member Ballot Poll: 93% of NFIB Texas members polled believe government should not be allowed to collect dues from public employee paychecks on behalf of a union.

Based on a *statewide survey funded by Keep Texas Working, 57% of union members who are registered to vote believe allowing government to withhold union dues presents a conflict of interest, and an astonishing 67% of union members support legislation to end the practice.

*The survey was conducted Apr. 6-12, 2015 by Bacelice & Associates. See survey results at www.KeepTexasWorking.com.



Why does small business (NFIB/Texas) care about ending the government/union partnership—collecting dues for unions from public employee paychecks?

- 1) The large amount of money collected by the state and political subdivisions of the state for unions give unions an unfair political advantage.
- 2) Many of the unions that benefit from this practice advocate against employers in this state by lobbying for anti-business legislation and mandates on employers like:
 - A. Mandated minimum wage increase and paid leave requirements
 - B. Increasing the salary threshold to which an employer is mandated to pay the employee overtime—time and a half (DOL Overtime Rule— NFIB Small Business Legal Center brought suit against—and won temporary injunction on)
 - C. Restricting an employers' right to ask for legal advice when they are petitioned for unionization (DOL Persuader Rule—NFIB Small Business Legal Center brought suit against—and won permanent injunction on)
 - D. Limiting the time an employer has from time of union petition to speak with their employees and seek counsel regarding unionization (NLRB Ambush elections—NFIB Small Business Legal Center brought suit against)
 - E. Unfair agency regulations that enable union representatives to accompany OSHA inspectors during work site inspections (NFIB Small Business Legal Center brought suit against)
 - F. Legislation that would add to the definition of unlawful employment practices in the Labor Code, which creates a potential for litigious action against employers and making them open for more liability
 - G. And instituting legislation that would add another venue to sue employers under the guise of creating “equal pay”—which is already strictly outlined by the EEOC and federal statute.

Labor issues affect small businesses nationwide and NFIB has pushed back on the labor agenda publicly for years in Washington, D.C. and in all 50 states. See our national webpage on this: <http://www.nfib.com/advocacy/labor/>

- 3) Labor unions (*funded by government dues collection programs*) attack Texas businesses who choose to remain union free. This is a major issue for NFIB members not only in Texas, but nationwide. See NFIB Small Business Legal Center employer handbook on unionization: <http://www.nfib.com/Portals/0/PDF/AllUsers/legal/guides/union-organizing-campaign-and-employers-nfib.pdf>
- 4) Big Labor Abuse: Labor unions create practically untraceable union front organizations called 'worker centers' that push anti-business/anti-employer policies. These groups are formed because they have no disclosure requirements with the DOL or state level, and have free reign to conduct stealth unionization efforts while enjoying tax-exempt status and are funded by taxpayer dollars.