

1 House BILL NO. 253
 2 INTRODUCED BY Johnson
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
 5 59-1605, R.C.M. 1947, BY CHANGING AN INACCURATE SECTION
 6 REFERENCE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
 7

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 59-1605, R.C.M. 1947, is amended to
 10 read as follows:

11 "59-1605. Unfair labor practices of employer or labor
 12 organization. (1) It is an unfair labor practice for a
 13 public employer to:

14 (a) interfere with, restrain, or coerce employees in
 15 the exercise of the rights guaranteed in section ~~3-59-1603~~
 16 of this act;

17 (b) dominate, interfere, or assist in the formation or
 18 administration of any labor organization; however, subject
 19 to rules adopted by the board under section ~~12-43~~ 13(4), an
 20 employer is not prohibited from permitting employees to
 21 confer with him during working hours without loss of time or
 22 pay;

23 (c) discriminate in regard to hire or tenure of
 24 employment or any term or condition of employment to
 25 encourage or discourage membership in any labor

1 organization; however, nothing in this act or in any other
 2 statute of this state precludes a public employer from
 3 making an agreement with an exclusive representative to
 4 require that an employee who is not or does not become a
 5 union member shall be required as a condition of employment
 6 to have an amount equal to the union initiation fee and
 7 monthly dues deducted from his wages in the same manner as
 8 checkoff of union dues;

9 (d) discharge or otherwise discriminate against an
 10 employee because he has signed or filed an affidavit,
 11 petition, or complaint or given any information or testimony
 12 under this act;

13 (e) refuse to bargain collectively in good faith with
 14 an exclusive representative.

15 (2) It is an unfair labor practice for a labor
 16 organization or its agents to:

17 (a) restrain or coerce employees in the exercise of
 18 the right guaranteed in subsection (1) of section 3
 19 ~~59-1603~~ of this act, or a public employer in the selection
 20 of his representative for the purpose of collective
 21 bargaining or the adjustment of grievances;

22 (b) refuse to bargain collectively in good faith with
 23 a public employer, if it has been designated as the
 24 exclusive representative of employees;

25 (c) use agency shop fees for contributions to

1 political candidates or parties at state or local levels.

2 (3) For the purpose of this act, to bargain
3 collectively is the performance of the mutual obligation of
4 the public employer, or his designated representatives, and
5 the representatives of the exclusive representative to meet
6 at reasonable times and negotiate in good faith with respect
7 to wages, hours, fringe benefits, and other conditions of
8 employment, or the negotiation of an agreement, or any
9 question arising thereunder, and the execution of a written
10 contract incorporating any agreement reached. Such
11 obligation does not compel either party to agree to a
12 proposal or require the making of a concession.

13 (4) This act does not limit the authority of the
14 legislature, any political subdivision or the governing
15 body, relative to appropriations for salary and wages,
16 hours, fringe benefits, and other conditions of employment."

17 Section 2. This act is effective on passage and
18 approval.

-End-

Approved by Committee
on Labor & Employment
Relations

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20 59-1613(4), an employer is not prohibited from permitting
21 employees to confer with him during working hours without
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