

Talking Points on HB 2986 – ‘Paycheck Deception’

- The bill is a partisan, one-sided attack on the ability of workers to stand together to obtain middle-class dignity and benefits in the workplace. It would deny unions, and only unions, the right to speak out on issues that concern working families without jumping through contrived hoops aimed at weakening our voice.
- Unions did not lead the way for the 40-hour work week, minimum wage, health coverage, Social Security, pensions and workplace safety in a vacuum. It takes political activity to do our job.
- “Paycheck Deception” is unclear, unfair and unnecessary. Unions and corporations spend money on political activity. But existing law already bans the use of union dues or corporate funds to make contributions to candidates. We have political action committees that take voluntary contributions for that purpose.
- The bill criminalizes behavior that union members have a right to expect of their elected officers, such as advocacy at the Legislature, communication with the public and interaction with officeholders on public policy. The bill muzzles the representatives of working families, but does nothing about the political influence of corporate special interests.
- The bill singles out our most trusted public employees, such as teachers, nurses and firefighters, and denies them the freedom to use payroll deductions to make voluntary political donations.
- The bill singles out unions, forcing us to adopt a cumbersome new record-keeping system and to obtain separate annual permission slips from individual members. Those members already have a democratic voice in the operation of the union, already have a federal right to opt out of the use of dues money for political purposes and already pay dues voluntarily in Texas.
- If HB 2986 were law now, I could be arrested for talking to you about how bad this legislation is. That’s not the American way.

H.B. 2986 By Tan Parker of Flower Mound

relating to political expenditures made by labor organizations; providing civil and criminal penalties

SUBCHAPTER H. POLITICAL EXPENDITURES BY LABOR ORGANIZATIONS

SECTION 1. Sec. 101.351. **Definitions.** "Labor organization" means any public or private employee group that deals with employers.

Sec. 101.352. **Political Fund.** A labor organization shall set up a political fund that is segregated from union dues and ensure that each contribution to the political fund is voluntary.

Sec. 101.353. **Duty to Maintain Records.** A labor organization shall make available a detailed annual report of union dues and political funds to each member.

Sec. 101.354. **Prohibited Practices.** While a labor organization may communicate with its own members, it cannot spend union dues on political communications, such as issue advocacy, lobbying, participating in events, and all other activities with a political purpose.

Sec. 101.355. **Prohibited Practices for Public Employer.** A public employer, which includes the state, cities, counties or school districts, may not collect payroll deductions for any candidates or political activities. The attorney general may enforce this law.

Sec. 101.356. **Voluntary Written Authorization to Make Payroll Deductions for Political Purposes.** A private employer may allow payroll deduction for political purposes only with a voluntary, written (with specific language) authorization by each member every year.

Sec. 101.357. **Posted Notice.** Private employers whose workers are represented by a union shall post a notice that union dues cannot be used for political purposes.

Sec. 101.358. **Liability.** A labor organization that violates this subchapter is liable to a member for the dues and fees spent, plus attorney's fees and other costs.

Sec. 101.359. **Civil Penalty.** A labor organization is liable for up to \$5,000 for each violation.

Sec. 101.360. **Criminal Offense.** An officer of a labor organization commits a Class B misdemeanor if he or she violates this subchapter.

SECTION 2. This Act takes effect January 1, 2012.

[Note: None of the provisions outlined above restrict the collection or expenditure of corporate funds for political purposes.] you may read HB2986 at: www.capitol.state.tx.us