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3 HOUSE CONSTITUTION, CAMPAIGNS AND ELECTIONS COMMITTEE
4 SUBSTITUTE FOR HB37

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9 SYNOPSIS: This bill proposes an amendment to the
10 Constitution of Alabama of 1901, relating to the
11 right to work.

12 This proposed amendment would declare that
13 it is the public policy of Alabama that the right
14 of persons to work may not be denied or abridged on
15 account of membership or nonmembership in a labor
16 union or labor organization.

17 This proposed amendment would prohibit an
18 agreement to deny the right to work, or condition
19 of prospective employment, on account of membership
20 or nonmembership in a labor union or labor
21 organization.

22 This proposed amendment would prohibit an
23 employer from requiring its employees to abstain
24 from union membership as a condition of employment.

25 This proposed amendment would provide that
26 an employer may not require a person, as a
27 condition of employment or continuation of

1 employment, to pay dues, fees, or other charges of
2 any kind to any labor union or labor organization.

3
4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

8 Proposing an amendment to the Constitution of
9 Alabama of 1901, as amended; to declare that it is the public
10 policy of Alabama that the right of persons to work may not be
11 denied or abridged on account of membership or nonmembership
12 in a labor union or labor organization; to prohibit an
13 agreement to deny the right to work, or condition of
14 prospective employment, on account of membership or
15 nonmembership in a labor union or labor organization; to
16 prohibit an employer from requiring its employee to abstain
17 from union membership as a condition of employment; and to
18 provide that an employer may not require a person, as a
19 condition of employment or continuation of employment, to pay
20 dues, fees, or other charges of any kind to any labor union or
21 labor organization.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. The following amendment to the
24 Constitution of Alabama of 1901, as amended, is proposed and
25 shall become valid as a part thereof when approved by a
26 majority of the qualified electors voting thereon and in

1 accordance with Sections 284, 285, and 287 of the Constitution
2 of Alabama of 1901, as amended:

3 PROPOSED AMENDMENT

4 (a) It is hereby declared to be the public policy of
5 Alabama that the right of persons to work may not be denied or
6 abridged on account of membership or nonmembership in a labor
7 union or labor organization.

8 (b) An agreement or combination between an employer
9 and labor union or labor organization which provides that a
10 person who is not a member of the union or organization shall
11 be denied the right to work for the employer, or where
12 membership in the union or organization is made a condition of
13 employment or continuation of employment by the employer, or
14 where the union or organization acquires an employment
15 monopoly in any enterprise, is hereby declared to be against
16 public policy and an illegal combination or conspiracy.

17 (c) No person shall be required by an employer to
18 become or remain a member of any labor union or labor
19 organization as a condition of employment or continuation of
20 employment.

21 (d) A person may not be required by an employer to
22 abstain or refrain from membership in any labor union or labor
23 organization as a condition of employment or continuation of
24 his or her employment.

25 (e) An employer may not require a person, as a
26 condition of employment or continuation of employment, to pay

1 dues, fees, or other charges of any kind to any labor union or
2 labor organization.

3 (f) This amendment shall not apply to any lawful
4 contract in force on or prior to the date of the ratification
5 of this amendment but it shall apply in all respects to
6 contracts entered into after the date of the ratification of
7 this amendment, and to any renewal or extension of an existing
8 contract.

9 Section 2. An election upon the proposed amendment
10 shall be held in accordance with Sections 284 and 285 of the
11 Constitution of Alabama of 1901, now appearing as Sections 284
12 and 285 of the Official Recompilation of the Constitution of
13 Alabama of 1901, as amended, and the election laws of this
14 state.

15 Section 3. The appropriate election official shall
16 assign a ballot number for the proposed constitutional
17 amendment on the election ballot and shall set forth the
18 following description of the substance or subject matter of
19 the proposed constitutional amendment:

20 "Proposing an amendment to the Constitution of
21 Alabama of 1901, to declare that it is the public policy of
22 Alabama that the right of persons to work may not be denied or
23 abridged on account of membership or nonmembership in a labor
24 union or labor organization; to prohibit an agreement to deny
25 the right to work, or place conditions on prospective
26 employment, on account of membership or nonmembership in a
27 labor union or labor organization; to prohibit an employer

1 from requiring its employees to abstain from union membership
2 as a condition of employment; and to provide that an employer
3 may not require a person, as a condition of employment or
4 continuation of employment, to pay dues, fees, or other
5 charges of any kind to any labor union or labor organization.

6 "Proposed by Act _____."

7 This description shall be followed by the following
8 language:

9 "Yes () No ()."