

February 23, 1951.
Labor.

House File 583
By SLOANE, POSTON, KUESTER,
AUBREY, SCHROEDER, BROWN.

Passed House, Date
Vote: Ayes..... Nays.....
Passed Senate, Date
Vote: Ayes..... Nays.....
Approved.....

A BILL FOR

An Act to provide for conditions under which union security clauses may be written into a labor agreement between employers and unions and to provide qualifications and conditions under which labor organization dues, initiation fees and insurance premiums may be deducted from wages by employers and paid to organizations of employees or labor unions to amend sections seven hundred thirty-six A point three (736A.3) and seven hundred thirty-six A point five (736A.5) and to repeal section seven hundred thirty-six A point four (736A.4) of the Iowa Code, 1950, relating to labor agreements and labor union memberships.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section seven hundred thirty-six A point
2 three (736A.3) of the Iowa Code of 1950 is hereby amended by
3 inserting at the end thereof the following: "Provided,
4 however, that upon the filing with the commissioner of labor
5 by a labor organization which is, under the laws of the
6 state and of the United States, the lawful and accredited
7 representative of the employees, of a petition alleging that
8 thirty (30) per centum or more of the employees within a unit
9 claimed to be appropriate for such purpose, desire to

10 authorize such labor organization to make an agreement with
11 the employer of such employees requiring membership in such
12 labor organization as a condition of employment in such unit,
13 upon an appropriate showing thereof, the commissioner of
14 labor shall take a secret ballot of such employees, and shall
15 certify the results thereof to such labor organization and
16 to the employer. Provided further, that if such an election
17 has been held and certified by the national labor relations
18 board in relation to such same parties and employers, so as
19 to validate said contemplated agreement, the commissioner of
20 labor shall issue his certification upon the basis of such
21 national board election. If, following the most recent
22 union security agreement election held as aforesaid, the
23 commissioner of labor, on the basis of an election held by
24 him or on the basis of one held by the national labor
25 relations board, as the case may be, has certified that at
26 least a majority of the employees eligible to vote in such
27 election have voted to authorize the labor organization
28 concerned to make such an agreement, the employer may enter
29 into an agreement with said labor organization to require as
30 a condition of employment membership therein on or after the
31 thirtieth (30th) day following the beginning of such em-
32 ployment or the effective date of the agreement, whichever
33 is the later. No such employer may lawfully carry out or
34 perform such contract to the disadvantage of any employee,
35 however :

36 (1) If he has reasonable grounds for believing that
37 membership in such union was not available to the affected
38 employee on the same terms and conditions generally
39 applicable to other members, or
40 (2) if he has reasonable grounds for believing
41 that such membership was denied
42 or terminated for reason other than the failure of the employee
43 to tender the regular periodic dues and the initiation fees
44 uniformly required as a condition of acquiring or retaining
45 membership. Provided further, that upon the filing with the
46 commissioner of labor of a statement signed by thirty (30)
47 per centum or more of the employees in a bargaining unit
48 covered by an agreement between their employer and a labor
49 organization that they desire that all authority for making
50 and enforcing a union security contract of any kind be
51 rescinded, the said commissioner of labor shall take a
52 secret ballot of the employees in such unit, and shall certify
53 the results thereof to such labor organization and to the
54 employer. In case any such result is against the continuance
55 of the union security contract concerned, the same shall
56 cease to have validity from and after the date of such
57 certification.

1 Sec. 2. Section seven hundred thirty-six A point four
2 (736A.4) of the Iowa Code of 1950 is hereby repealed.

1 Sec. 3. Section seven hundred thirty-six A point five
2 (736A.5) of the Iowa Code of 1950, is hereby amended by adding

3 thereto the following: "Provided, however, that parties to
4 a labor agreement may agree that the employer shall check
5 off reasonable initiation fees and regular dues in amounts
6 not exceeding five dollars (\$5.00) per month upon the receipt
7 of a written order bearing the sole signature of the worker
8 whose wages are to be affected. Such orders shall be
9 revocable upon thirty (30) days' written notice to the
10 employer. In addition to the above, employees may in like
11 manner, make valid assignments of wages in sufficient amounts
12 to pay insurance premiums covering labor union insurance
13 benefits in all cases where such insurance has met the standards
14 of Iowa state laws and has been approved by the Iowa
15 commissioner of insurance.

1 Sec. 4. If any provision of this Act or the application
2 of such provision to any person or circumstance, shall be
3 held invalid, the remainder of this Act or the application
4 of such provision to persons or circumstances other than
5 those as to which it is held invalid, shall not be affected
6 thereby.

1 Sec. 5. The provisions of this Act shall not apply to
2 employers or employees covered by the federal railroad labor
3 Act."

1 Sec. 6. This Act being deemed of immediate importance
2 shall be in full force and effect from and after its passage
3 and publication in the Iowa Federationist, a newspaper
4 published at Des Moines, Iowa, and,
5 a newspaper published at, Iowa.

EXPLANATION OF H. F. 583

The bill provides for the checkoff of union dues and payments as by law now provided with the modification that the written authorization for such deductions for limited amounts may be in the future signed only by the employee. These authorizations are revocable on thirty (30) days' written notice. It is also provided that insurance premiums may be similarly checked off.

The bill also returns to collective bargaining between the employer and union the question of union shop agreements. It provides that by mutual agreement the two parties to a labor contract may provide for union security, to the extent of a so-called union shop but not in the form of the more extreme closed shop. Such a contract requires, as a condition precedent under the bill, that an election be held and that the employees, by such election, indicate that they desire to approve the same. It is also provided that by a 30 per cent petition of the employees an election may be held to terminate such union shop contract. No employee is to be discharged if arbitrarily excluded from the union or expelled for reasons other than nonpayment of regular dues or initiation fees.

The bill also exempts these employees-employers in Iowa covered by the federal railroad labor acts; and said bill also contains a repeal of Chapter 736A, Code 1950.