

February 23, 1951.  
Passed on File.

**Senate File 453**  
By VAN EATON, DAILEY,  
O'MALLEY and HEDIN.

Passed Senate, Date.....  
Vote: Ayes..... Nays.....  
Passed House, 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 employees, 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 union  
22 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 per-  
34 form such contract to the disadvantage of any employee, however:  
35 (1) if he has reasonable grounds for believing that

36 membership in such union was not available to the affected  
37 employee on the same terms and conditions generally applicable  
38 to other members, or

39 (2) if he has reasonable grounds for  
40 believing that such membership was denied  
41 or terminated for reasons other than the failure of the employee  
42 to tender the regular periodic dues and the initiation fees  
43 uniformly required as a condition of acquiring or retaining  
44 membership. Provided further, that upon the filing with the  
45 commissioner of labor of a statement signed by thirty (30)  
46 per centum or more of the employees in a bargaining unit  
47 covered by an agreement between their employer and a labor  
48 organization that they desire that all authority for making  
49 and enforcing a union security contract of any kind be  
50 rescinded, the said commissioner of labor shall take a  
51 secret ballot of the employees in such unit, and shall certify  
52 the results thereof to such labor organization and to the  
53 employer. In case any such result is against the continuance  
54 of the union security contract concerned, the same shall  
55 cease to have validity from and after the date of such  
56 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 held  
3 invalid, the remainder of this Act or the application of such  
4 provision to persons or circumstances other than those as to  
5 which it is held invalid, shall not be affected 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 The West Des Moines  
5 Express, a newspaper published at West Des Moines, Iowa.