

34-32-1 Assignments to labor unions -- Effect.

- (1) As used in this section:
 - (a) "Employee" means a person employed by any person, partnership, public, private, or municipal corporation, school district, the state, or any political subdivision of the state.
 - (b) "Employer" means the person or entity employing an employee.
 - (c)
 - (i) "Labor organization" means a lawful organization of any kind that is composed, in whole or in part, of employees, and that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or other terms and conditions of employment.
 - (ii) Except as provided in Subsection (1)(c)(iii), "labor organization" includes each employee association and union for employees of public and private sector employers.
 - (iii) "Labor organization" does not include organizations governed by the National Labor Relations Act, 29 U.S.C. Sec. 151 et seq. or the Railroad Labor Act, 45 U.S.C. Sec. 151 et seq.
 - (d) "Union dues" means dues, fees, money, or other assessments required as a condition of membership or participation in a labor organization.
- (2) An employee may direct an employer, in writing, to deduct from the employee's wages a specified sum for union dues, not to exceed 3% per month, to be paid to a labor organization designated by the employee.
- (3) An employer shall promptly commence or cease making deductions for union dues from the wages of an employee for the benefit of a labor organization when the employer receives a written communication from the employee directing the employer to commence or cease making deductions.
- (4) An employee's request that an employer cease making deductions may not be conditioned upon a labor organization's:
 - (a) receipt of advance notice of the request; or
 - (b) prior consent to cessation of the deductions.
- (5) A labor organization is not liable for any claim, service, or benefit that is:
 - (a) available only to a member of the labor organization; and
 - (b) terminated as a result of an employee's request that the employer cease making deductions for union dues.
- (6) An employee may join a labor organization or terminate membership at any time. A person may not place a restriction on the time that an employee may join, or terminate membership with, a labor organization.
- (7) An employee may not waive a provision of this section.

Amended by Chapter 220, 2011 General Session