

1st Sub. H.B. 179
VOLUNTARY CONTRIBUTIONS ACT

Representative **James R. Gowans** proposes the following amendments:

1. Page 1, Line 8: After "**penalties.**" delete "**This act prohibits public**"
2. Page 1, Line 9: Delete line 9 and insert:
"**This act enacts new provisions governing employee deductions from wages for payment to labor organizations. This**"
3. Page 1, Line 18-19: Delete lines 18-19 and insert:
"**34-32a-101**, Utah Code Annotated 1953"
"**34-32a-201**, Utah Code Annotated 1953"
"**34-32a-202**, Utah Code Annotated 1953"
"**34-32a-301**, Utah Code Annotated 1953"
4. Page 4, Lines 99-118: Delete lines 99-118 and insert:
"Section 6. Section **34-32a-101** is enacted to read:
34-32a-101. Definitions.
(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 any association or organization of employees or plan in which employees participate that exists, in whole or in part, to advocate on behalf of employees about grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of employment.

Section 7. Section **34-32a-201** is enacted to read:
34-32a-201. Employee paycheck protections.
(1) (a) Whenever an employer is notified in writing, or by other verifiable electronic means, that an employee desires to voluntarily deduct a sum from his wages for payment to any labor association, organization, union or other employee association as assignee, the employer shall deduct a sum not exceeding \$20 per month from the

employee's wages and shall promptly pay the amount deducted to the assignee.

(b) Until otherwise directed in writing, the employer shall thereafter continue to comply with the employee's notification.

(2) Any labor organization requiring a monthly fee in excess of \$20 is not eligible to use the payroll deduction process contained in this chapter.

Section 8. Section **34-32a-202** is enacted to read:

34-32a-202. Injunctive relief -- Damages.

(1) Any employer, person, firm, association, corporation, employee, labor union, labor organization, or any other type of association injured as a result of any violation or threatened violation of any provision of this chapter, or threatened with a violation may obtain injunctive relief against any person threatening violation and also to recover from that person any and all damages of any character cognizable at common law, plus reasonable attorney's fees, court costs, and expenses, resulting from the violations or threatened violations.

(2) Those remedies are independent of and in addition to the penalties and remedies that are otherwise available to any party.

Section 9. Section **34-32a-301** is enacted to read:

34-32a-301. Provisions severable.

If any provision, or any portion of any provision contained in this act is determined to be unconstitutional, the remaining provisions shall remain in full force and effect as if the unconstitutional provision was never enacted."