

BILL ANALYSIS

C.S.H.B. 1524
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Economic & Small Business Development
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Texas law provides for the right of workers to form and join labor unions and requires a union officer, agent, organizer, or representative to be elected by secret ballot. However, interested parties feel that a method needs to be in place for the election of an exclusive bargaining representative. C.S.H.B. 1524 seeks to address this issue by requiring the use of the same method to elect an exclusive bargaining representative as is used in electing a union officer and other union entities.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1524 amends the Labor Code to require a labor union selected as the exclusive bargaining representative of the employees in an appropriate collective bargaining unit, for the purpose of representing such employees in their employment relations with employers, to be elected by secret ballot and by majority vote of the employees in the appropriate collective bargaining unit. The bill's provisions do not affect a collective bargaining agreement or a meet and confer agreement, as applicable, or an organization representing public sector employees under state law, including the Fire and Police Employee Relations Act and specified provisions of law relating to local control of employment matters relating to police officers, firefighters, emergency medical services personnel, and certain other municipal employees in certain municipalities and metropolitan rapid transit authorities, as applicable.

EFFECTIVE DATE

September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1524 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Subchapter C, Chapter 101, Labor Code, is amended by adding Section 101.1035 to read as follows: Sec. <u>101.1035. EXCLUSIVE BARGAINING REPRESENTATIVE;</u>	SECTION 1. Subchapter C, Chapter 101, Labor Code, is amended by adding Section 101.1035 to read as follows: Sec. <u>101.1035. EXCLUSIVE BARGAINING REPRESENTATIVE;</u>

METHOD OF ELECTION. (a) In this section, "exclusive bargaining representative" means a labor union selected as the representative of the employees in an appropriate collective bargaining unit to represent the employees in their employment relations with employers.

(b) An exclusive bargaining representative must be elected by secret ballot and by majority vote of the employees directly affected by the election.

SECTION 2. This Act does not affect a collective bargaining agreement under Chapter 174, Local Government Code, that was entered into before the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2013.

METHOD OF ELECTION. (a) In this section, "exclusive bargaining representative" means a labor union selected as the representative of the employees in an appropriate collective bargaining unit to represent the employees in their employment relations with employers.

(b) An exclusive bargaining representative must be elected by secret ballot and by majority vote of the employees in the appropriate collective bargaining unit.

SECTION 2. This Act does not affect a collective bargaining agreement or a meet and confer agreement, as applicable, or an organization representing public sector employees under state law, including any of the following:

(1) Subchapter B, C, or D, Chapter 142, Local Government Code;

(2) Subchapter H, I, or J, Chapter 143, Local Government Code;

(3) Chapter 146, Local Government Code;

(4) Chapter 147, Local Government Code;

(5) Chapter 174, Local Government Code; or

(6) Subchapter P, Chapter 451, Transportation Code.

SECTION 3. Same as introduced version.