



General Assembly

Raised Bill No. 5032

February Session, 2006

* _____HB05032LABCE_030806_____*

***AN ACT CONCERNING NEUTRALITY AGREEMENTS AND THE USE
OF STATE FINANCIAL ASSISTANCE FOR CERTAIN LABOR
ORGANIZING ACTIVITIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2006*) (a) For purposes of this
2 section:

3 (1) "Neutrality agreement" means an agreement signed by the state
4 or any of its agencies and an entity receiving financial assistance from
5 the state or any of its agencies, which prohibits the entity, for a period
6 of two years following the receipt of such financial assistance, from:
7 (A) Interfering in labor organizing and education campaigns, (B)
8 interfering with, or participating in, the activities of labor
9 organizations, (C) discriminating in hiring based on past labor
10 organizing activity or the encouragement or discouragement of
11 membership in a labor organization, (D) persuading employees to
12 support or oppose labor organizing activity, (E) harassing employees
13 engaged in labor organizing activity, (F) preparing and distributing
14 materials that advocate for or against labor organizing, and (G) hiring
15 or consulting legal counsel or other consultants to advise the entity on
16 how to assist, promote or deter labor organizing or how to impede a
17 labor organization that represents the entity's employees from
18 fulfilling its representational responsibilities;

19 (2) "Entity" includes a corporation, including a foreign corporation;
20 nonprofit corporation; profit and nonprofit unincorporated
21 association; business trust, estate, partnership, limited liability
22 company, trust and two or more persons having a joint or common
23 economic interest;

24 (3) "Financial assistance" includes, but is not limited to, all forms of
25 loans, grants, guarantees and tax abatements; and

26 (4) "Labor organization" means any organization that exists for the
27 purpose, in whole or in part, of collective bargaining or of dealing with
28 employers concerning grievances, terms or conditions of employment,
29 or of other mutual aid or protection in connection with employment.

30 (b) The state and any agency of the state that provides direct or
31 indirect financial assistance to an entity on and after October 1, 2006,
32 shall require, as a condition to receiving financial assistance, that the
33 entity sign a neutrality agreement.

34 (c) (1) No entity shall use any state financial assistance for any of the
35 following purposes: (A) Interfering in labor organizing and education
36 campaigns, (B) interfering with, or participating in, the activities of
37 labor organizations, (C) discriminating in hiring based on past labor
38 organizing activity or the encouragement or discouragement of
39 membership in a labor organization, (D) persuading employees to
40 support or oppose labor organizing activity, (E) harassing employees
41 engaged in labor organizing activity, (F) preparing and distributing
42 materials that advocate for or against labor organizing, and (G) hiring
43 or consulting legal counsel or other consultants to advise the entity on
44 how to assist, promote or deter labor organizing or how to impede a
45 labor organization that represents the entity's employees from
46 fulfilling its representational responsibilities.

47 (2) No entity receiving any state financial assistance shall employ
48 any accounting device or method of transferring funds in any manner
49 intended to impede the purposes of this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2006</i>	New section
-----------	------------------------	-------------

LAB

Joint Favorable C/R

CE