

ALEC.ORG

2019



Labor Reform

POLICY

50 STATE FACTSHEETS

50

STATE FACTSHEETS

In-depth look at:

- Existing Law
- Union Landscape
- Political Landscape
- Pending Litigation
- Noteworthy Legislation
- ALEC Solution

ALEC POLICY SOLUTIONS

- A** | **UNION FINANCIAL RESPONSIBILITY ACT**
This policy would establish financial disclosure requirements for public-sector labor unions.
- A** | **PROHIBITION ON PAID UNION ACTIVITY (RELEASE TIME) BY PUBLIC EMPLOYEES ACT**
This policy would bar employers from paying public employees for time spent engaging in union activities.
- A** | **PUBLIC EMPLOYEE RIGHTS AND AUTHORIZATION ACT**
This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- A** | **UNION RECERTIFICATION ACT**
This policy would ensure “that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit.” The policy provides for secret ballot elections every even year for union recertification.
- A** | **PUBLIC EMPLOYEE CHOICE ACT**
This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.
- A** | **COMPREHENSIVE PUBLIC EMPLOYEE FREEDOM ACT**
This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”

ALABAMA

✓ RIGHT-TO-WORK STATE

EXISTING LAW

Title 25 of the Code of Alabama deals with labor policy and regulations in the state. There are no titles in the Code of Alabama that deal separately with public-sector employees. Alabama is a right-to-work state.

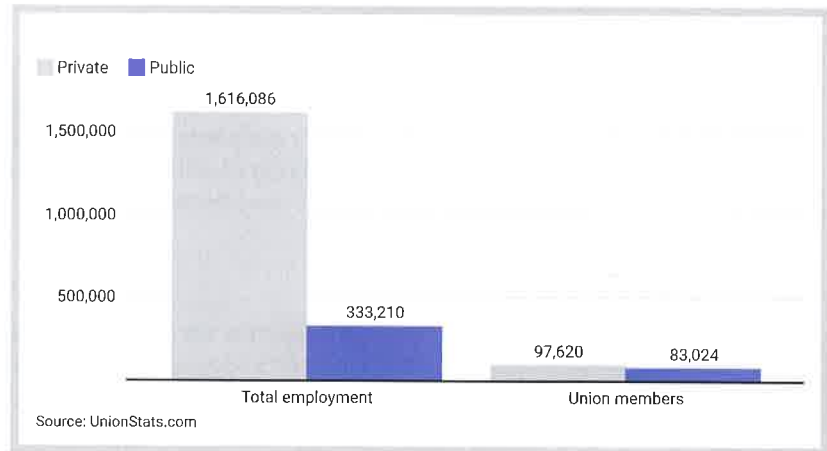
UNION LANDSCAPE

According to UnionStats.com, approximately 83,024 of Alabama's 333,210 public-sector workers in 2018 were union members, a membership rate of 24.9 percent. Relative to the other states, Alabama had the 25th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Alabama

The first set of bars correspond to total workforce size in the private and public sectors in Alabama.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

In Alabama, Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of December 20, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Alabama.

NOTEWORTHY LEGISLATION

As of December 20, 2018, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Alabama post-Janus.

ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Alabama. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Alabama:

- **Union Recertification Act:** This policy would ensure "that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit." The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

ALASKA

EXISTING LAW

Title 23, Chapter 40 of the Alaska Statutes establishes the right of the state’s public employees to form unions and bargain collectively. The law is administered by the Labor Relations Agency (LRA), a commission comprising six members appointed by the governor. Members serve staggered three- terms, and two each must be selected from management, labor, and general public candidate pools.

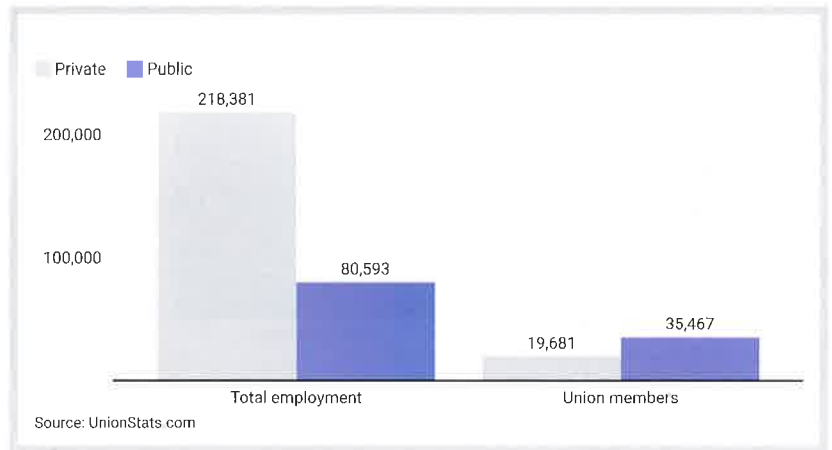
UNION LANDSCAPE

According to UnionStats.com, approximately 35,467 of Alaska’s 80,593 public-sector workers in 2018 were union members, a membership rate of 44.0 percent. Relative to the other states, Alaska has the 15th highest public-sector union membership rate. The bar chart below compares membership rates in the public and private sectors in Alaska.

Union membership rates in the private and public sectors in Alaska

The first set of bars correspond to total workforce size in the private and public sectors in Alaska.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from two of the state’s largest public-sector unions are provided below:

- NEA-Alaska: Over 13,000 members as of 2018
- Alaska Public Employees Association (AFT): 4,930 members as of 2018

POLITICAL LANDSCAPE

Prior to the 2018 election, Republicans controlled both chambers of the state legislature, but an independent held the governorship. Republican Mike Dunleavy won the 2018 gubernatorial election, and Republicans won a majority in the state Senate. Neither Democrats nor Republicans had established a governing majority in the House as of December 14, 2018.

PENDING LITIGATION

As of November 30, 2018, one lawsuit related to public-sector union policy was pending before a federal district court in Alaska. Click the case name to view its docket report.

- [Crockett v. NEA Alaska](#): The plaintiff is challenging state laws regarding agency fees, refunds of fees paid by religious objectors, and exclusive representation provisions.

NOTEWORTHY LEGISLATION

As of November 30, 2018, no legislation relevant to public-sector union policy had been introduced in Alaska post-Janus.

ALASKA

A | **ALEC SOLUTIONS**

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Alaska. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Alaska:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

ARIZONA



EXISTING LAW

Title 23 of the Arizona Revised Statutes deals generally with labor policy in the state. There are no titles dealing specifically with public-sector labor policy. Arizona is a right-to-work state.

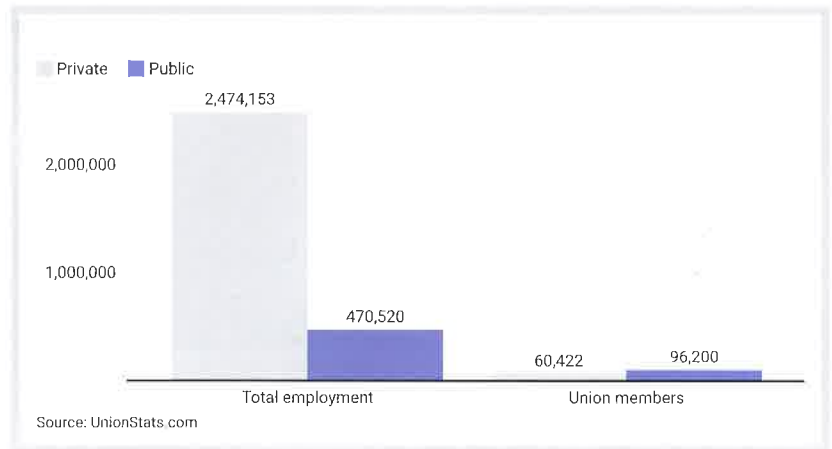
UNION LANDSCAPE

According to UnionStats.com, approximately 96,200 of Arizona's 470,520 public-sector workers in 2018 were union members, a membership rate of 20.4% percent. Relative to the other states, Arizona had the 34th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Arizona

The first set of bars correspond to total workforce size in the private and public sectors in Arizona.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of Arizona's largest public-sector unions are provided below:

- Arizona Education Association: Approximately 20,000 members as of 2017
- American Federation of Teachers: 200 members as of 2017

POLITICAL LANDSCAPE

In Arizona, Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of December 31, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Arizona.

NOTEWORTHY LEGISLATION

As of December 31, 2018, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Arizona post-Janus.

ARIZONA

A | **ALEC SOLUTIONS**

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Arizona. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Arizona:

- **Union Recertification Act:** This policy would ensure “that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit.” The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Prohibition on Paid Union Activity (Release Time) by Public Employees Act:** This policy would bar employers from paying public employees for time spent engaging in union activities.

ARKANSAS



EXISTING LAW

Title 11 of the Arkansas Code deals with labor policy. No specific titles or chapters in state statutes deal separately with public-sector employees. Arkansas is a right-to-work state.

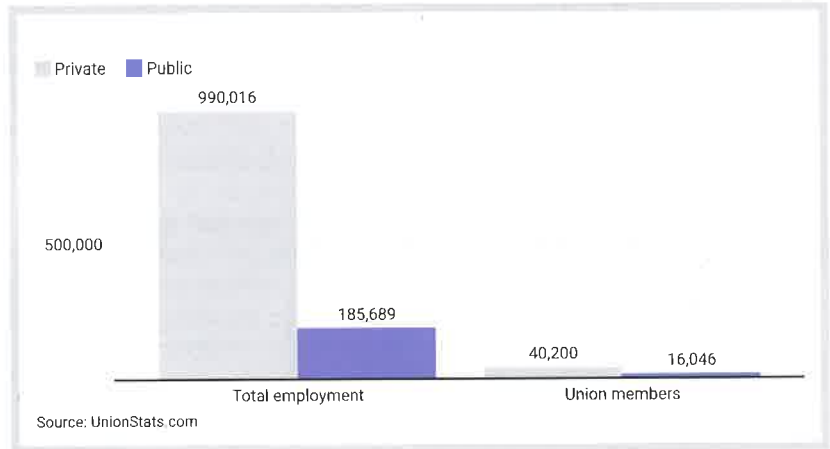
UNION LANDSCAPE

According to UnionStats.com, approximately 16,046 of Arkansas' 185,689 public-sector workers in 2018 were union members, a membership rate of 8.6 percent. Relative to the other states, Arkansas had the 49th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Arkansas

The first set of bars correspond to total workforce size in the private and public sectors in Arkansas.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

Republicans in Arkansas hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of December 19, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Arkansas.

NOTEWORTHY LEGISLATION

As of December 19, 2018, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Arkansas post-Janus.

ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Arkansas. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Arkansas:

- **Union Recertification Act:** This policy would ensure "that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit." The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

CALIFORNIA

EXISTING LAW

The following California laws address the collective bargaining rights of public-sector employees:

- State Employer-Employee Relations (Ralph C. Dills Act)
- Excluded Employees Bill of Rights
- Local Public Employee Organizations (Meyers-Milias-Brown Act)
- Educational Employment Relations Act
- Higher Education Employer-Employee Relations

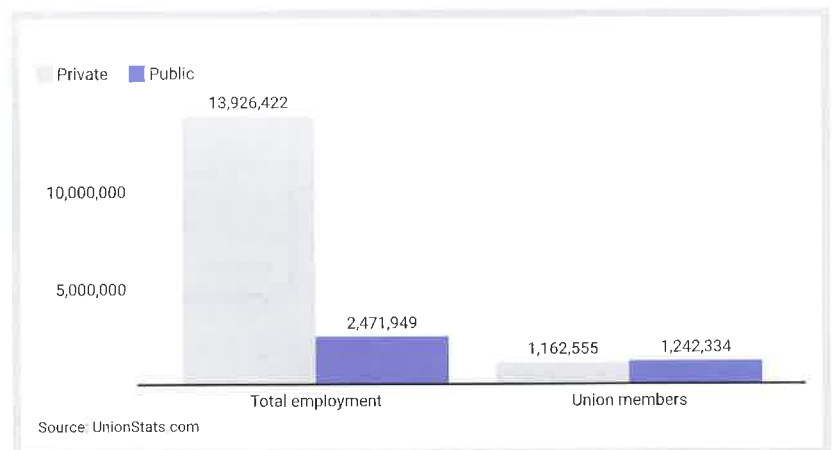
UNION LANDSCAPE

According to UnionStats.com, approximately 1,242,334 of California's 2,471,949 public-sector workers in 2018 were union members, a membership rate of 50.3 percent. Relative to the other states, California had the 12th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in California

The first set of bars correspond to total workforce size in the private and public sectors in California.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of California's largest public-sector unions are provided below:

- California Teachers Association: Approximately 325,000 members as of 2018
- AFSCME Council 57: 23,710 members as of 2018
- AFSCME Council 36: 18,821 members as of 2017

POLITICAL LANDSCAPE

In California, Democrats hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

The following lawsuits related to public-sector union policy are pending before federal district courts in California. Click a case name to view its docket report (if available).

- Aliser v. SEIU California
- Allen v. Santa Clara County Correctional
- Babb v. California Teachers Ass'n.
- Bermudez v. SEIU Local 521
- Few v. United Teachers Los Angeles
- Hamidi v. SEIU
- Hernandez v. AFSCME California
- Hough v. SEIU Local 521
- Lyon v. Union of California State Workers
- Martin v. California Teachers Association
- Matthews v. CTA
- Polk v. Yee
- Wilford v. NEA, AFT, and CTA, CFT, et al.
- Yohn v. California Teachers Ass'n.

CALIFORNIA

B | NOTEWORTHY LEGISLATION

The following bills were enacted in September 2018, post-Janus.

Anti-Janus legislation (bills that are considered reactions against Janus)

- **SB1085:** This bill requires public employers to grant leaves of absence without loss of pay or benefits to employees who serve as stewards or officers of an employee organization.
- **SB846:** This bill protects public employers from liability for any legal claims involving agency fees paid to unions prior to June 27, 2018. This bill also denies standing to current or former employees pursuing such claims. The bill's provisions apply to any pending litigation.

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in California. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in California:

- **Comprehensive Public Employee Freedom Act:** This model policy "provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations." The policy also asserts the "public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers."
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

COLORADO

EXISTING LAW

Title 8 of the Colorado Revised Statutes deals generally with labor policy in the state. There are no titles in the Colorado Revised Statutes dealing separately with public-sector labor policy.

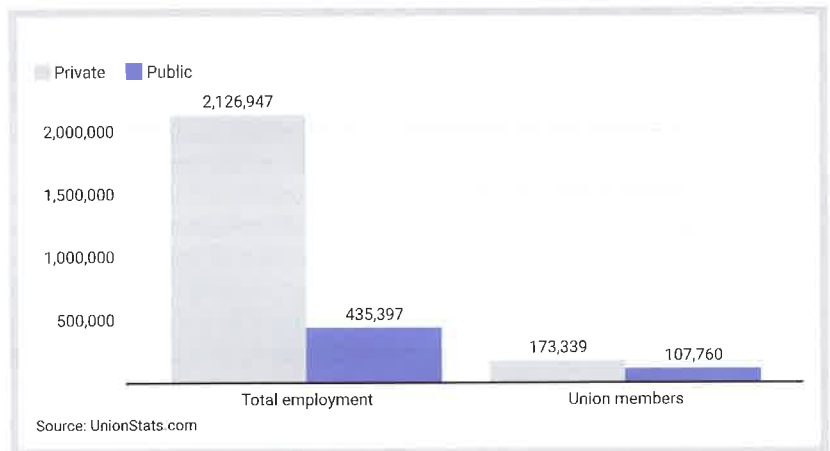
UNION LANDSCAPE

According to UnionStats.com, approximately 107,760 of Colorado's 435,397 public-sector workers in 2018 were union members, a membership rate of 24.7 percent. Relative to the other states, Colorado had the 26th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Colorado

The first set of bars correspond to total workforce size in the private and public sectors in Colorado.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of Colorado's largest public-sector unions are provided below:

- Colorado Education Association: Approximately 35,000 members as of 2017
- American Federation of Teachers: 3,365 members as of 2016

POLITICAL LANDSCAPE

Prior to the 2018 midterm elections, Colorado operated under divided government. Democrats controlled the governorship and the state House while Republicans held the state Senate. In the 2018 midterm elections, Democrats won the governorship and both chambers of the state legislature, establishing trifecta control of the state that takes effect with the 2019 session.

PENDING LITIGATION

As of December 31, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Colorado.

NOTEWORTHY LEGISLATION

As of December 31, 2018, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Colorado post-Janus.

COLORADO

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Colorado. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Colorado:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

CONNECTICUT

EXISTING LAW

The following portions of Connecticut's General Statutes address the collective bargaining rights of public-sector employees:

- Chapter 68 (Collective Bargaining for State Employees)
- Chapter 113 (Municipal Employees)
- Chapter 166 (Teachers and Superintendents)

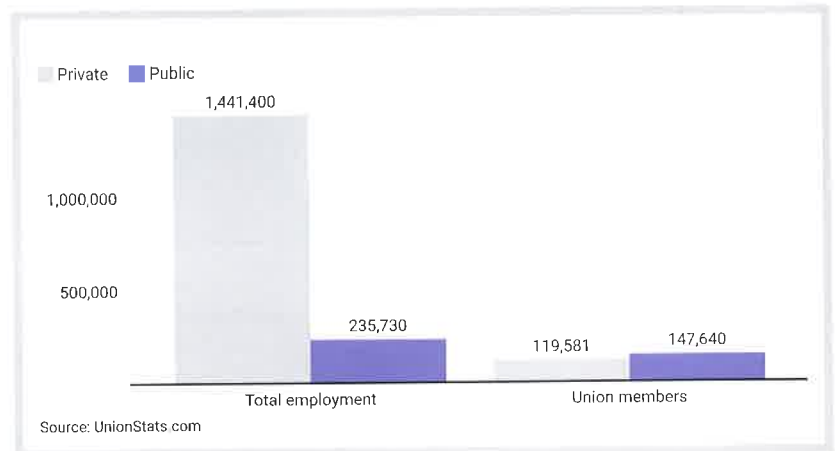
UNION LANDSCAPE

According to UnionStats.com, approximately 147,640 of Connecticut's 235,730 public-sector workers in 2018 were union members, a membership rate of 62.6 percent. Relative to the other states, Connecticut had the 3rd highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Connecticut

The first set of bars correspond to total workforce size in the private and public sectors in Connecticut.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of Connecticut's largest public-sector unions are provided below:

- Connecticut Education Association: Approximately 43,000 members as of 2019
- American Federation of Teachers: 26,689 members as of 2018
- AFSCME Council 4: 28,535 members as of 2018

POLITICAL LANDSCAPE

Democrats in Connecticut hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of January 1, 2019, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Connecticut.

NOTEWORTHY LEGISLATION

As of January 1, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Connecticut post-Janus.

CONNECTICUT

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Connecticut. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Connecticut:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

DELAWARE

EXISTING LAW

The following portions of the Delaware Code deal with collective bargaining rights for public-sector workers:

- Title 19, Chapter 13 (Public Employment Relations Act)
- Title 19, Chapter 16 (Police Officers' and Firefighters' Employment Relations Act)
- Title 14, Chapter 40 (Public School Employment Relations Act)

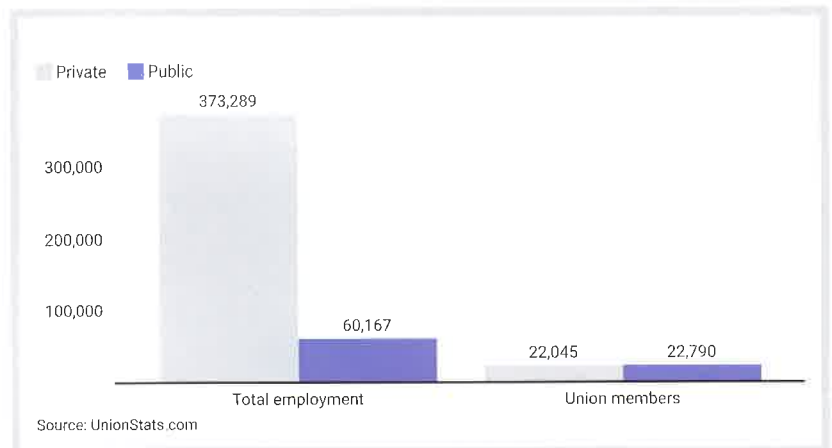
UNION LANDSCAPE

According to UnionStats.com, approximately 22,790 of Delaware's 60,167 public-sector workers in 2018 were union members, a membership rate of 37.9 percent. Relative to the other states, Delaware had the 19th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Delaware

The first set of bars correspond to total workforce size in the private and public sectors in Delaware.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of Delaware's largest public-sector unions are provided below:

- Delaware State Education Association: Approximately 12,000 members as of 2019
- AFSCME Council 81: 6,543 members as of 2018

POLITICAL LANDSCAPE

Democrats in Delaware hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of January 1, 2019, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Delaware.

NOTEWORTHY LEGISLATION

As of January 1, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Delaware post-Janus.

DELAWARE

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Delaware. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Delaware:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

FLORIDA



EXISTING LAW

The Public Employees Act (Title XXXI, Chapter 447 of the Florida Statutes) establishes the right of public-sector employees in Florida to form and join unions. Administration of the law is the responsibility of the Public Employees Relations Commission. The commission comprises three members appointed to staggered four-year terms by the governor with the advice and consent of the Senate. Florida is a right-to-work state.

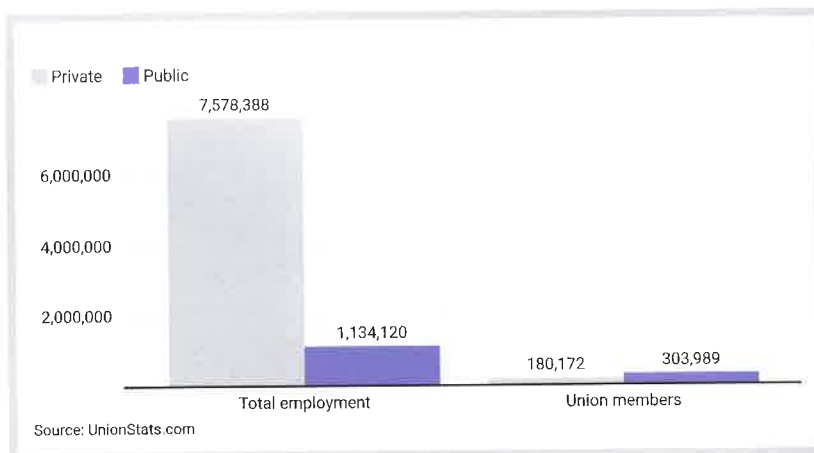
UNION LANDSCAPE

According to UnionStats.com, approximately 303,989 of Florida's 1,134,120 public-sector workers in 2018 were union members, a membership rate of 26.8 percent. Relative to the other states, Florida had the 24th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Florida

The first set of bars correspond to total workforce size in the private and public sectors in Florida.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from two of Florida's largest public-sector unions are provided below:

- Florida Education Association: 132,055 members as of 2017
- AFSCME: 17,216 members as of 2017

POLITICAL LANDSCAPE

Republicans in Florida control the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of December 14, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Florida.

NOTEWORTHY LEGISLATION

As of December 14, 2018, we have seen no legislation relevant to public-sector union policy that has been introduced in Florida post-Janus.

FLORIDA

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Florida. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Florida:

- **Prohibition on Paid Union Activity (Release Time) by Public Employees Act:** This policy would bar employers from paying public employees for time spent engaging in union activities.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

GEORGIA



EXISTING LAW

The Firefighter's Mediation Act (Sections 25-5-1 to 25-5-14 of the Georgia Code) establishes the right of firefighters to bargain collectively. There do not appear to be other sections of the Georgia Code that expressly establish the right of other public-sector employees to bargain collectively. Georgia is a right-to-work state.

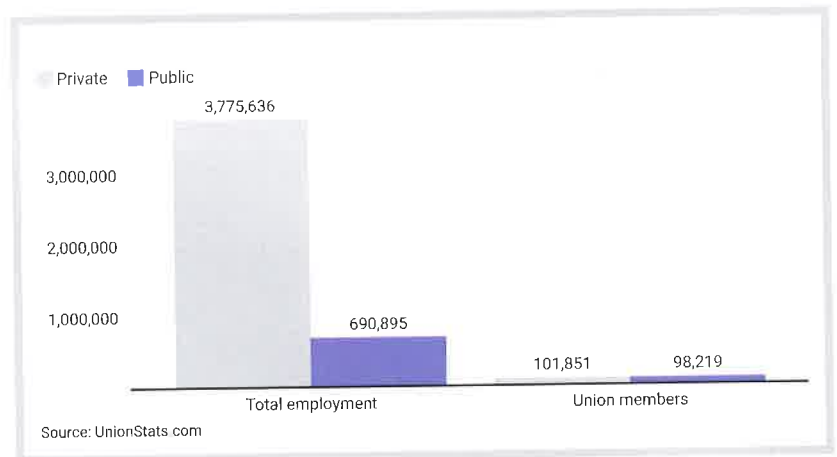
UNION LANDSCAPE

According to UnionStats.com, approximately 98,219 of Georgia's 690,895 public-sector workers in 2018 were union members, a membership rate of 14.2 percent. Relative to the other states, Georgia had the 41st highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Georgia

The first set of bars correspond to total workforce size in the private and public sectors in Georgia.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

In Georgia, Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of December 20, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Georgia.

NOTEWORTHY LEGISLATION

As of December 20, 2018, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Georgia post-Janus.

ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Georgia. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Georgia:

- **Union Recertification Act:** This policy would ensure "that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit." The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Prohibition on Paid Union Activity (Release Time) by Public Employees Act:** This policy would bar employers from paying public employees for time spent engaging in union activities.

HAWAII



EXISTING LAW

Chapter 89 of the Hawaii Revised Statutes deals with the collective bargaining rights of public-sector employees in the state.



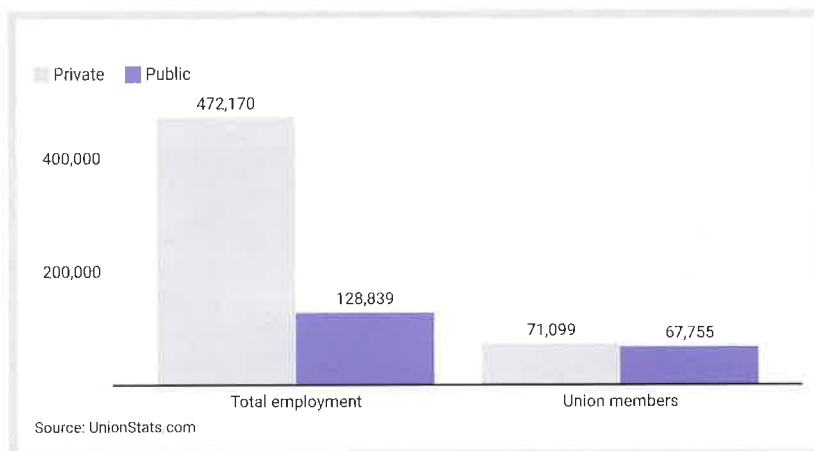
UNION LANDSCAPE

According to UnionStats.com, approximately 67,755 of Hawaii's 128,839 public-sector workers in 2018 were union members, a membership rate of 52.6 percent. Relative to the other states, Hawaii had the eighth highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Hawaii

The first set of bars correspond to total workforce size in the private and public sectors in Hawaii.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

Democrats in Hawaii hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.



PENDING LITIGATION

As of January 1, 2019, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Hawaii.



NOTEWORTHY LEGISLATION

As of January 1, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Hawaii post-Janus.

HAWAII

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Hawaii. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Hawaii:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

IDAHO



EXISTING LAW

Title 33, Chapter 12, Sections 1271 to 1276 and Title 44, Chapter 44, Sections 1801 to 1811 of the Idaho Statutes establish the right of public teachers and firefighters to collectively bargain, respectively. Idaho is a right-to-work state.

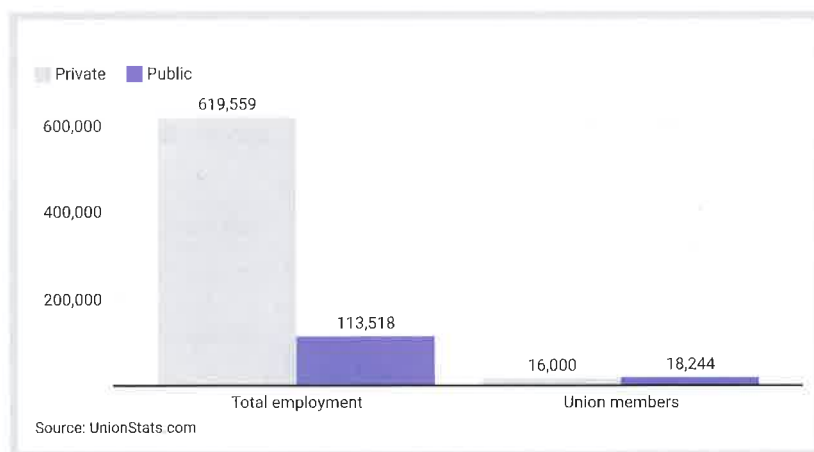
UNION LANDSCAPE

According to UnionStats.com, approximately 18,244 of Idaho's 113,518 public-sector workers in 2018 were union members, a membership rate of 16.1 percent. Relative to the other states, Idaho had the 38th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Idaho

The first set of bars correspond to total workforce size in the private and public sectors in Idaho.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

Republicans in Idaho control the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of December 19, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Idaho.

NOTEWORTHY LEGISLATION

As of December 19, 2018, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Idaho post-Janus.

ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Idaho. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Idaho:

- **Union Recertification Act:** This policy would ensure "that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit." The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

ILLINOIS

EXISTING LAW

The following portions of the Illinois Compiled Statutes address the collective bargaining rights of public-sector employees in the state:

- Illinois Public Labor Relations Act
- Illinois Educational Labor Relations Act

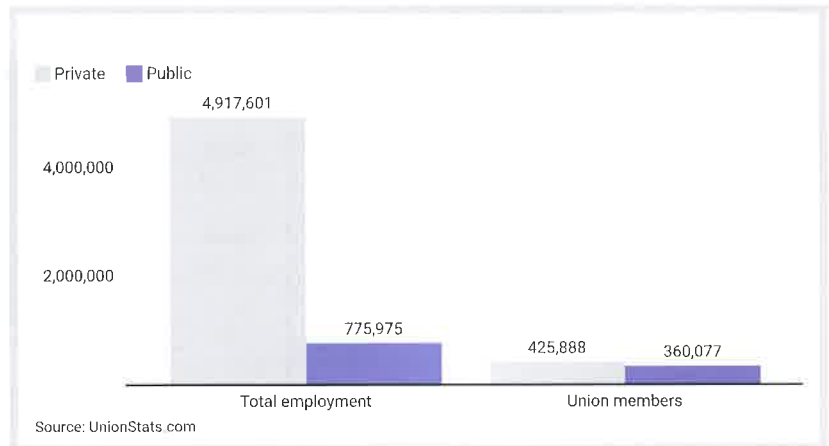
UNION LANDSCAPE

According to UnionStats.com, approximately 360,077 of Illinois' 775,975 public-sector workers in 2018 were union members, a membership rate of 46.4 percent. Relative to the other states, Illinois had the 13th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Illinois

The first set of bars correspond to total workforce size in the private and public sectors in Illinois.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of Illinois' largest public-sector unions are provided below:

- Illinois Education Association: 137,097 members as of 2018
- American Federation of Teachers: 94,274 members as of 2018
- AFSCME Council 31: 57,995 members as of 2017

POLITICAL LANDSCAPE

In the 2018 midterm elections, Democrats established trifecta control of the state, winning the governorship and retaining control of both chambers of the state legislature.

PENDING LITIGATION

As of January 1, 2019, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Illinois.

NOTEWORTHY LEGISLATION

As of January 1, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Illinois post-Janus.

ILLINOIS

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Illinois. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Illinois:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

INDIANA



EXISTING LAW

Title 20, Article 29 of the Indiana Code establishes collective bargaining rights for public-school teachers in the state. There are no other titles of the Indiana Code that deal specifically with collective bargaining rights for other classes of public-sector employees. Indiana is a right-to-work state.

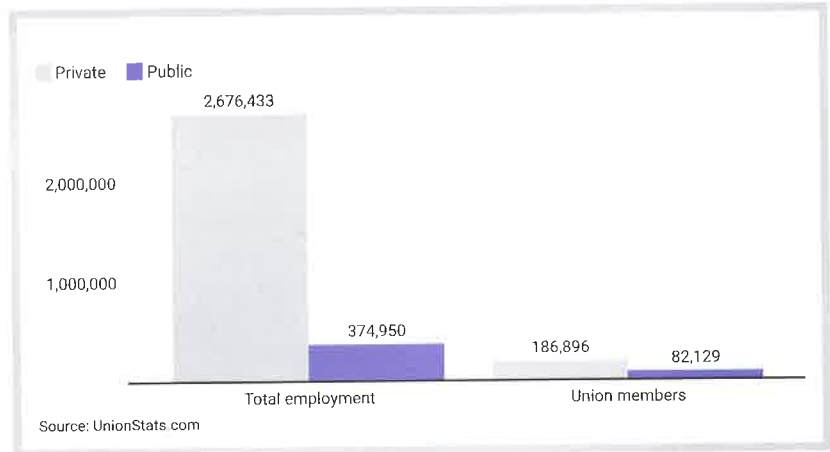
UNION LANDSCAPE

According to UnionStats.com, approximately 82,129 of Indiana's 374,950 public-sector workers in 2018 were union members, a membership rate of 21.9 percent. Relative to the other states, Indiana had the 29th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Indiana

The first set of bars correspond to total workforce size in the private and public sectors in Indiana.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

In Indiana, Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of January 1, 2019, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Indiana.

NOTEWORTHY LEGISLATION

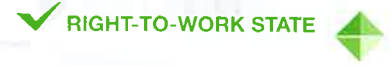
As of January 1, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Indiana post-Janus.

ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Indiana. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Indiana:

- **Union Recertification Act:** This policy would ensure "that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit." The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

IOWA



EXISTING LAW

In Iowa, the Public Employment Relations Act (Chapter 20 of the Iowa Code) establishes the right of the state's public employees to form and join unions. A three-member Public Employment Relations Board is responsible for administration of the law. The board's three members are appointed by the governor with the advice and consent of the state Senate. Iowa is a right-to-work state.

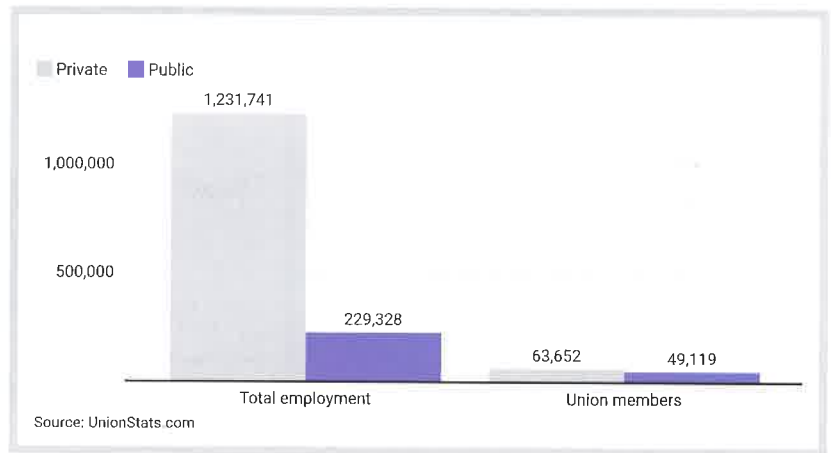
UNION LANDSCAPE

According to UnionStats.com, approximately 49,119 of Iowa's 229,328 public-sector workers in 2018 were union members, a membership rate of 21.4 percent. Relative to the other states, Iowa had the 31st highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Iowa

The first set of bars correspond to total workforce size in the private and public sectors in Iowa.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

In Iowa, Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of December 17, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Iowa.

NOTEWORTHY LEGISLATION

As of December 17, 2018, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Iowa post-Janus.

ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Iowa. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Iowa:

- **Prohibition on Paid Union Activity (Release Time) by Public Employees Act:** This policy would bar employers from paying public employees for time spent engaging in union activities.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

KANSAS



EXISTING LAW

The following portions of the Kansas Statutes address the collective bargaining rights of public-sector workers in the state Public Employer-Employee Relations Act (§§ 75-4321 to 75-4337). Kansas is a right-to-work state.

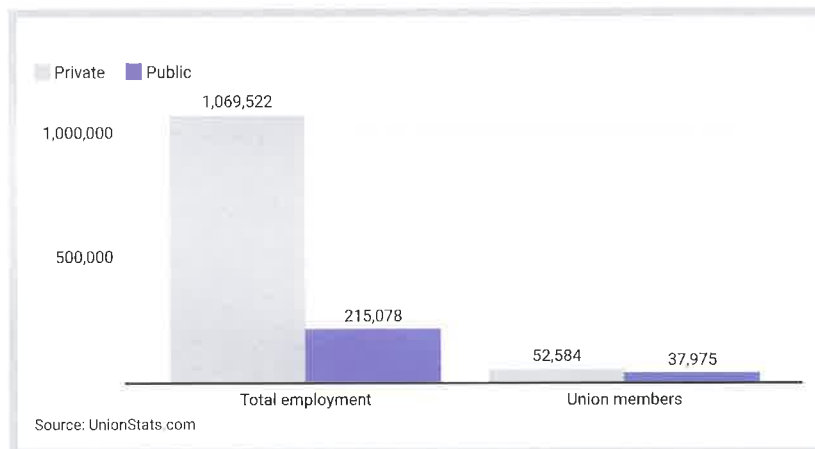
UNION LANDSCAPE

According to UnionStats.com, approximately 37,975 of Kansas' 215,078 public-sector workers in 2018 were union members, a membership rate of 17.7 percent. Relative to the other states, Kansas had the 36th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Kansas

The first set of bars correspond to total workforce size in the private and public sectors in Kansas.

The second set of bars relates to union membership figures in the private and public sectors.



Note: Reliable membership data on Kansas' largest public-sector unions could not be found as of January 1, 2019.

POLITICAL LANDSCAPE

In the 2018 midterm elections, Democrat Laura Kelly won the governorship, ending an existing Republican trifecta. Republicans retained control of both chambers of the state legislature.

PENDING LITIGATION

As of January 1, 2019, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Kansas.

NOTEWORTHY LEGISLATION

As of January 1, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Kansas post-Janus.

KANSAS

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Kansas. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Kansas:

- **Union Recertification Act:** This policy would ensure “that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit.” The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

KENTUCKY



EXISTING LAW

Chapters 67, 78, and 345 of the Kentucky Revised Statutes establish the rights of select public employees (firefighters, police officers, and corrections personnel) to form unions and bargain collectively. The law is administered by the Labor Relations Board (LRB), a commission comprising three members appointed by the governor. Members serve four-year terms. Kentucky is a right-to-work state.

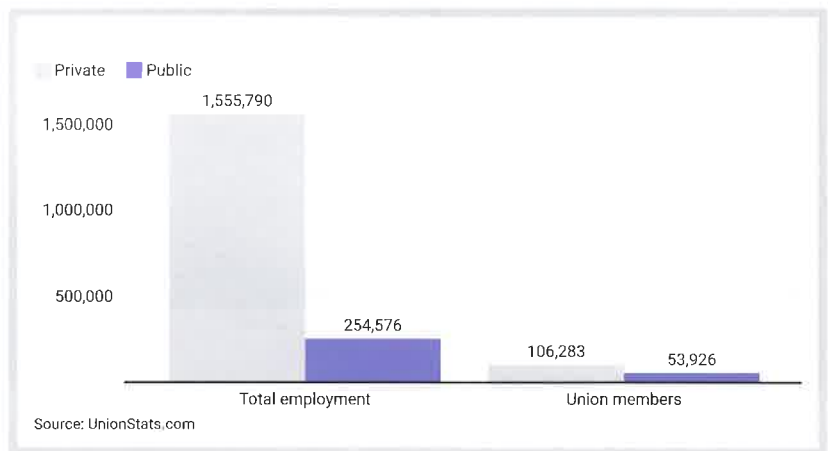
UNION LANDSCAPE

According to UnionStats.com, approximately 53,926 of Kentucky's 254,576 public-sector workers in 2018 were union members, a membership rate of 21.2 percent. Relative to the other states, Kentucky had the 32nd highest public-sector union membership rate. The bar chart below compares membership rates in the public and private sectors in Kentucky.

Union membership rates in the private and public sectors in Kentucky

The first set of bars correspond to total workforce size in the private and public sectors in Kentucky.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

Kentucky Republicans control both the chambers of the state legislature and the governorship, establishing trifecta control in the state.

PENDING LITIGATION

As of November 30, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Kentucky.

NOTEWORTHY LEGISLATION

As of November 30, 2018, we had seen no legislation relevant to public-sector union policy that had been introduced in Kentucky post-Janus.

KENTUCKY

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Kentucky. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Kentucky:

- **Union Recertification Act:** This policy would ensure “that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit.” The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

LOUISIANA



EXISTING LAW

Title 23 of the Louisiana Revised Statutes deals with labor policy in the state. There are not any specific titles dealing separately with public-sector workers. Louisiana is a right-to-work state.

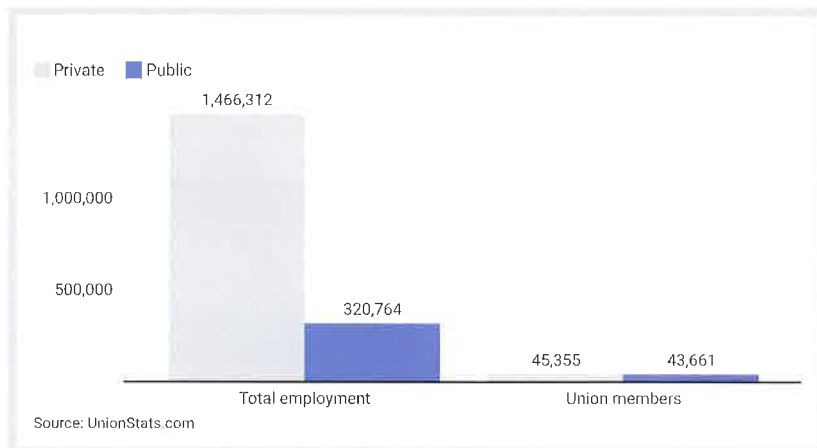
UNION LANDSCAPE

According to UnionStats.com, approximately 43,661 of Louisiana's 320,764 public-sector workers in 2018 were union members, a membership rate of 13.6 percent. Relative to the other states, Louisiana had the 43rd highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Louisiana

The first set of bars correspond to total workforce size in the private and public sectors in Louisiana.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

Louisiana operates under divided government. Democrat John Bel Edwards holds the governorship, but Republicans control both chambers of the state legislature. The state will hold elections in 2019, including for governor.

PENDING LITIGATION

As of December 19, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Louisiana.

NOTEWORTHY LEGISLATION

As of December 19, 2018, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Louisiana post-Janus.

ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Louisiana. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Louisiana:

- **Union Recertification Act:** This policy would ensure "that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit." The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

MAINE

EXISTING LAW

The following portions of the Maine Revised Statutes address the collective bargaining rights of public-sector employees in the state:

- Title 26, Chapter 9-A: Municipal Public Employees Labor Relations Law
- Title 26, Chapter 9-B: State Employees Labor Relations Act
- Title 26, Chapter 12: University of Maine System Labor Relations Act
- Title 26, Chapter 14: Judicial Employees Labor Relations Act

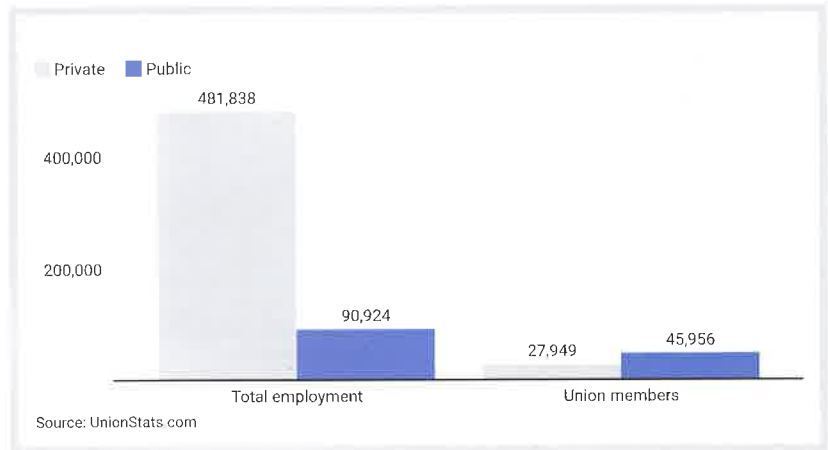
UNION LANDSCAPE

According to UnionStats.com, approximately 45,956 of Maine's 90,924 public-sector workers in 2018 were union members, a membership rate of 50.5 percent. Relative to the other states, Maine had the 11th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Maine

The first set of bars correspond to total workforce size in the private and public sectors in Maine.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of Maine's largest public-sector unions are provided below:

- Maine Education Association: 23,535 members as of 2018
- AFSCME Council 93 (Maine Office): Approximately 2,600 members as of 2019

POLITICAL LANDSCAPE

In the 2018 midterm elections, Democrats won the governorship and both chambers of the state legislature, establishing trifecta control of the state. Maine had previously operated under divided government, with Republicans holding the governorship and state Senate and Democrats retaining the state House.

PENDING LITIGATION

One lawsuit related to public-sector union policy is pending before a federal district court in Maine: *Reisman v. Associated Faculties of the University of Maine*.

NOTEWORTHY LEGISLATION

As of January 3, 2018, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Maine post-Janus.

MAINE

A | **ALEC SOLUTIONS**

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Maine. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Maine:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

MARYLAND

EXISTING LAW

The following portions of the Maryland Code address the collective bargaining rights of public-sector employees:

- State employees: State Personnel and Pensions § 3-101 et seq.
- Non-certified public school employees: Educ. §§ 6-501 - 6-510
- Teachers: Educ. §§ 6-401 - 6-411

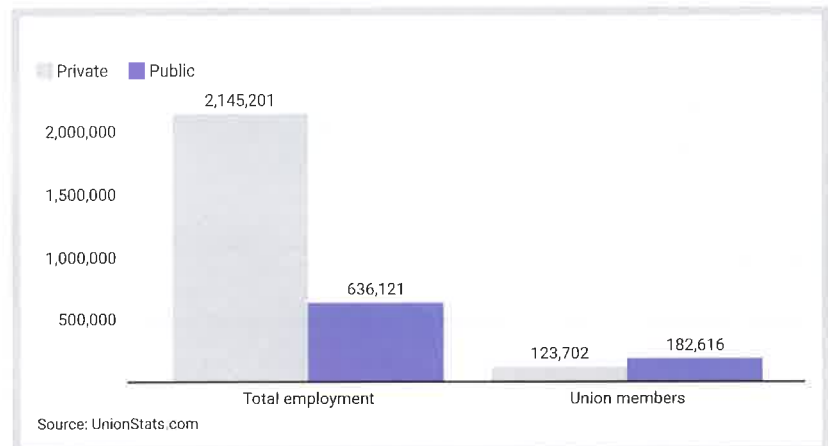
UNION LANDSCAPE

According to UnionStats.com, approximately 182,616 of Maryland's 636,121 public-sector workers in 2018 were union members, a membership rate of 28.7 percent. Relative to the other states, Maryland had the 22nd highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Maryland

The first set of bars correspond to total workforce size in the private and public sectors in Maryland.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of Maryland's largest public-sector unions are provided below:

- Maryland State Education Association: Approximately 74,000 members as of 2019
- AFSCME Council 3: 16,615 members as of 2018

POLITICAL LANDSCAPE

Maryland operates under divided government. A Republican, Larry Hogan, holds the governorship, but Democrats control both chambers of the state legislature. The Democratic Party holds a veto-proof majority.

PENDING LITIGATION

One lawsuit related to public-sector union policy is pending before a federal district court in Maryland: *Akers v. Maryland State Educ. Ass'n*.

NOTEWORTHY LEGISLATION

As of January 3, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Maryland post-Janus.

MARYLAND

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Maryland. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Maryland:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

MASSACHUSETTS

EXISTING LAW

Chapter 150E of the Massachusetts General Laws addresses the collective bargaining rights of the state's public-sector employees.

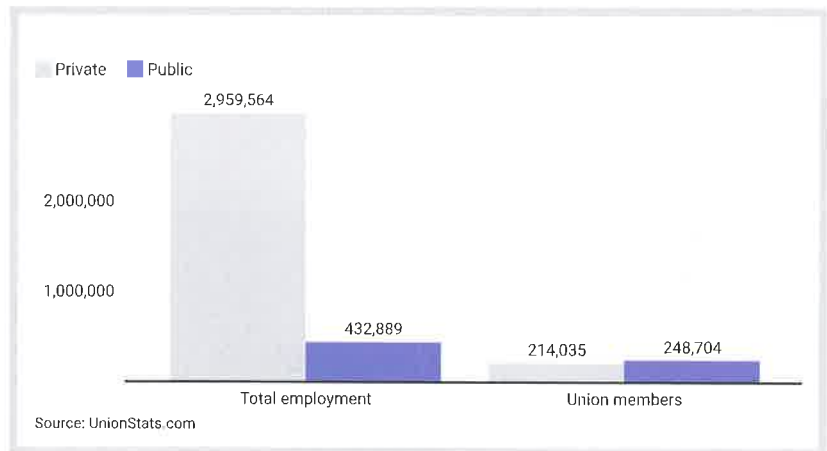
UNION LANDSCAPE

According to UnionStats.com, approximately 248,704 of Massachusetts' 432,889 public-sector workers in 2018 were union members, a membership rate of 57.5 percent. Relative to the other states, Massachusetts had the sixth highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Massachusetts

The first set of bars correspond to total workforce size in the private and public sectors in Massachusetts.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of Massachusetts' largest public-sector unions are provided below:

- Massachusetts Teachers Association: Approximately 110,000 members as of 2019
- AFSCME Council 93: 36,005 members as of 2018
- American Federation of Teachers: 23,558 members as of 2018

POLITICAL LANDSCAPE

Massachusetts operates under divided government. A Republican, Charlie Baker, holds the governorship, but Democrats control both chambers of the state legislature. The Democrat Party holds a veto-proof majority.

PENDING LITIGATION

One lawsuit related to public-sector union policy is pending before a federal district court in Massachusetts: *Branch v. Commonwealth Relations Board*.

NOTEWORTHY LEGISLATION

One relevant bill was introduced in Massachusetts in 2018, post-Janus.

- Anti-Janus legislation (bills that are considered reactions against Janus)
 - S2644: This bill restricts public access to personal information about state employees, including home addresses, email addresses, and telephone numbers. Employee organizations have access to this information. Employee organizations are permitted to require non-members to pay for the costs of grievance or arbitration proceedings. Public employers are required to provide employee organizations access to employees, including the right to meet with employees on work premises. The bill also altered the windows of time during which employees may choose to revoke payroll deductions for the payment of union dues. The bill cleared the state Senate on July 31, 2018. It then crossed over to the state House, where it was referred to the Ways and Means Committee. It died in committee upon the start of the 2019-2020 legislative session.

MASSACHUSETTS

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Massachusetts. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Massachusetts:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

MICHIGAN



EXISTING LAW

The Public Employment Relations Act (PERA), adopted in 1947 and amended in 1965, 2011, and 2012, establishes collective bargaining rights for public-sector workers in Michigan. The Michigan Employment Relations Commission is the state authority responsible for administering PERA and other public-sector employee laws. The commission comprises three members, each of whom is appointed to staggered three-year terms by the governor with the advice and consent of the state Senate. Michigan is a right-to-work state.

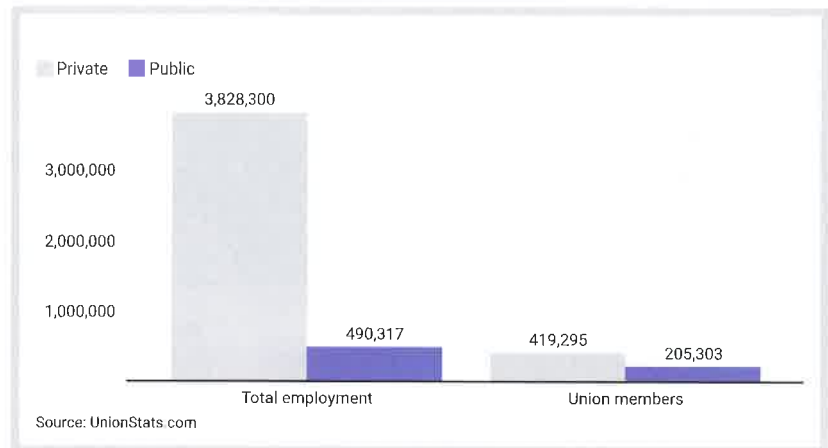
UNION LANDSCAPE

According to UnionStats.com, approximately 205,303 of Michigan's 490,317 public-sector workers in 2018 were union members, a membership rate of 41.9 percent. Relative to the other states, Michigan had the 18th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Michigan

The first set of bars correspond to total workforce size in the private and public sectors in Michigan.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from three of Michigan's largest public-sector unions are provided below:

- Michigan Education Association (MEA): 124,162 members as of 2017
- AFSCME Council 25: 32,595 as of 2017
- AFT Michigan: 18,253 as of 2018

POLITICAL LANDSCAPE

Prior to the 2018 election, Republicans controlled both chambers of the state legislature and the governorship. Democrat Gretchen Whitmer won the 2018 gubernatorial election, creating a divided government in the state, with both chambers of the state legislature retained by Republicans.

PENDING LITIGATION

No lawsuits related to public-sector union policy were pending as of November 28, 2018, before federal or state courts in Michigan.

NOTEWORTHY LEGISLATION

One bill was introduced and referred to committee in November 2018, post-Janus.

- Pro-Janus legislation (bills that generally support, or correspond with, the Supreme Court's ruling in Janus)
- HB6474: This bill would prohibit collective bargaining agreements that provide for paid time off for the conduct of union business.

MICHIGAN

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Michigan. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Michigan:

- **Union Recertification Act:** This policy would ensure “that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit.” The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

MINNESOTA



EXISTING LAW

Chapter 179A of the Minnesota Statutes addresses the collective bargaining rights of the state's public-sector employees.



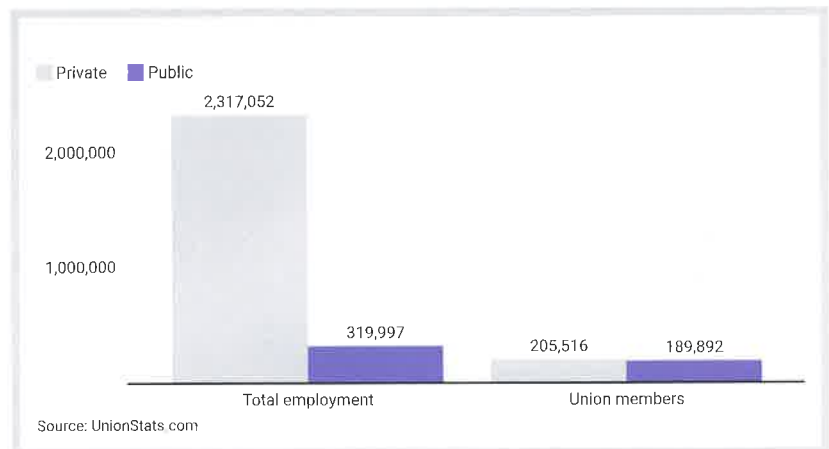
UNION LANDSCAPE

According to UnionStats.com, approximately 189,892 of Minnesota's 319,997 public-sector workers in 2018 were union members, a membership rate of 59.3 percent. Relative to the other states, Minnesota had the fifth highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Minnesota

The first set of bars correspond to total workforce size in the private and public sectors in Minnesota.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of Minnesota's largest public-sector unions are provided below:

- Education Minnesota: 89,731 members as of 2018
- AFSCME Council 5: 40,676 members as of 2018



POLITICAL LANDSCAPE

Minnesota operates under divided government. Democrats hold the governorship and the state House while Republicans control the state Senate.



PENDING LITIGATION

The following lawsuits related to public-sector union policy that originated in Minnesota are pending before federal courts. Click a case name to view its docket report.

- Bierman v. Dayton
- Hoekman v. Education Minnesota
- Prokes v. AFSCME Council 5
- Uradnik v. Inter Faculty Org.



NOTEWORTHY LEGISLATION

As of January 3, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Minnesota post-Janus.

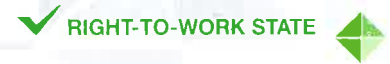
MINNESOTA

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Minnesota. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Minnesota:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

MISSISSIPPI



EXISTING LAW

Title 71 of the Mississippi Code deals with labor policy in the state. There are no specific titles of the Mississippi Code that deal separately with public-sector employees. Mississippi is a right-to-work state.

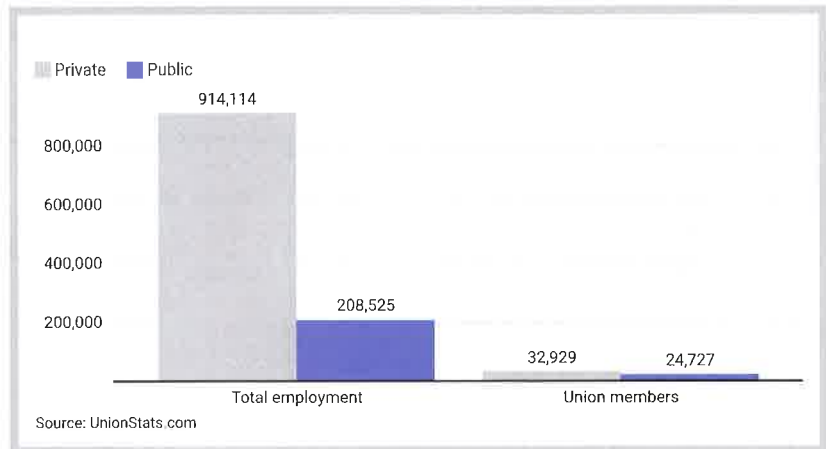
UNION LANDSCAPE

According to UnionStats.com, approximately 24,727 of Mississippi's 208,525 public-sector workers in 2018 were union members, a membership rate of 11.9 percent. Relative to the other states, Mississippi had the 46th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Mississippi

The first set of bars correspond to total workforce size in the private and public sectors in Mississippi.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

In Mississippi, Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of December 20, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Mississippi.

NOTEWORTHY LEGISLATION

As of December 20, 2018, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Mississippi post-Janus.

ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Mississippi. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Mississippi:

- **Union Recertification Act:** This policy would ensure "that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit." The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

MISSOURI

EXISTING LAW

Chapter 105 of the Missouri Revised Statutes establishes the right of select public employees to form unions and bargain collectively. The law is administered by the State Board of Mediation (SBM), a commission comprising five members appointed by the governor with the advice and consent of the state Senate. Members serve three-year terms. Two members must be employers or members of an association representing employers. Two members must be employees belonging to a bona fide labor union. One member must be neither an employer nor a public employee.

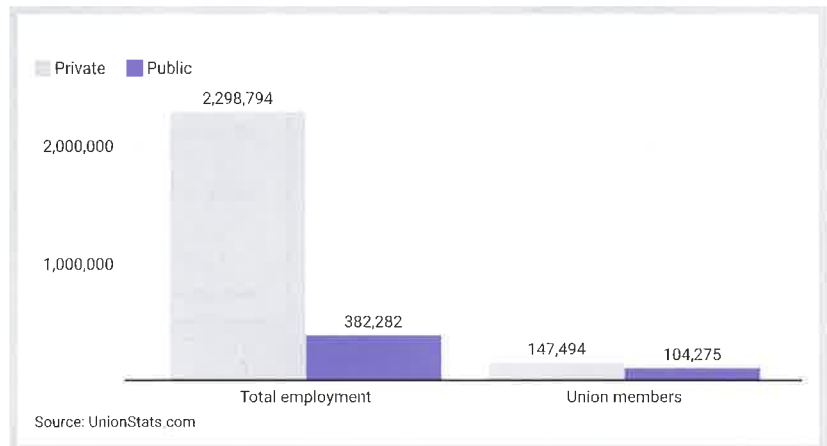
UNION LANDSCAPE

According to UnionStats.com, approximately 104,275 of Missouri's 382,282 public-sector workers in 2018 were union members, a membership rate of 27.3 percent. Relative to the other states, Missouri had the 23rd highest public-sector union membership rate. The bar chart below compares membership rates in the public and private sectors in Missouri.

Union membership rates in the private and public sectors in Missouri

The first set of bars correspond to total workforce size in the private and public sectors in Missouri.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from two of the state's largest public-sector unions are provided below:

- Missouri NEA (MNEA): Approximately 35,000 members as of 2018
- AFT Missouri: 3,784 members as of 2018

POLITICAL LANDSCAPE

Republicans have trifecta control of state government in Missouri, meaning that the party holds the governorship and majorities in both chambers of the state legislature.

PENDING LITIGATION

As of November 29, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Missouri.

NOTEWORTHY LEGISLATION

On August 7, 2018, voters in Missouri defeated Proposition A, thus repealing the state's right-to-work law, which had been adopted by the state legislature in 2017. As of November 29, 2018, no legislation relevant to public-sector union policy had been introduced in Missouri post-Janus.

MISSOURI

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Missouri. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Missouri:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Prohibition on Paid Union Activity (Release Time) by Public Employees Act:** This policy would bar employers from paying public employees for time spent engaging in union activities.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

MONTANA



EXISTING LAW

Title 39, Chapter 31 of the Montana Code Annotated addresses the collective bargaining rights of the state's public-sector employees.



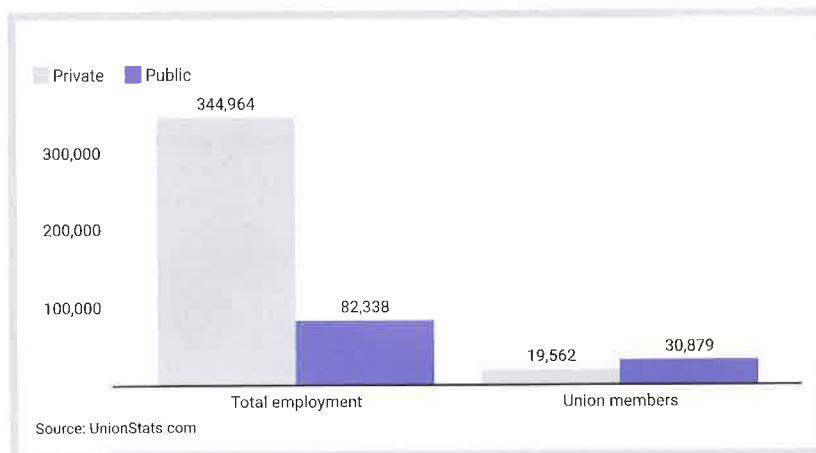
UNION LANDSCAPE

According to UnionStats.com, approximately 30,879 of Montana's 82,338 public-sector workers in 2018 were union members, a membership rate of 37.5 percent. Relative to the other states, Montana had the 20th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Montana

The first set of bars correspond to total workforce size in the private and public sectors in Montana.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of Montana's largest public-sector unions are provided below:

- Montana Federation of Public Employees: Approximately 25,000 members as of 2019
- AFSCME Council 9: 1,752 members as of 2018



POLITICAL LANDSCAPE

Montana operates under divided government. The Democratic Party controls the governorship while Republicans hold both chambers of the state legislature.



PENDING LITIGATION

As of January 3, 2019, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Montana.



NOTEWORTHY LEGISLATION

As of January 3, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Montana post-Janus.

MONTANA

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Montana. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Montana:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

NEBRASKA



EXISTING LAW

The State Employees Collective Bargaining Act (Chapter 81, Sections 1369 through 1288) establishes the right of public-sector employees in Nebraska to bargain collectively. Nebraska is a right-to-work state.

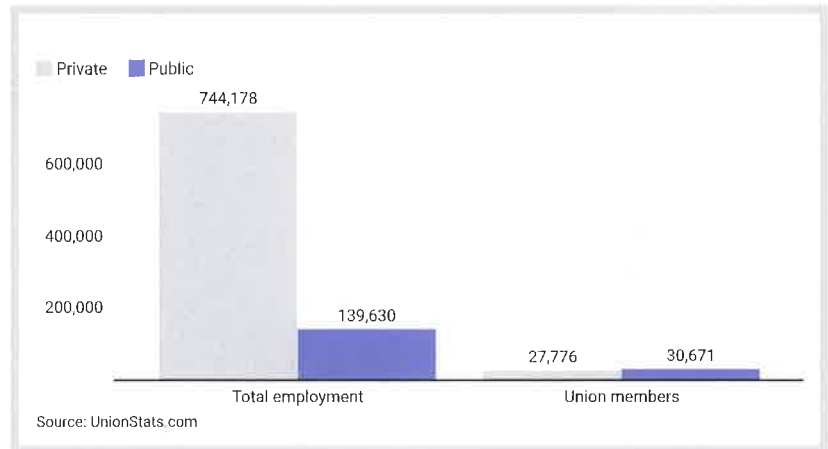
UNION LANDSCAPE

According to UnionStats.com, approximately 30,671 of Nebraska's 139,630 public-sector workers in 2018 were union members, a membership rate of 22.0 percent. Relative to the other states, Nebraska had the 28th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Nebraska

The first set of bars correspond to total workforce size in the private and public sectors in Nebraska.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of Nebraska's largest public-sector unions are provided below:

- Nebraska State Education Association (NEA affiliate): Approximately 28,000 members as of 2018
- Nebraska Association of Public Employees (AFSCME affiliate): Approximately 8,000 members as of 2018

POLITICAL LANDSCAPE

Republicans in Nebraska hold the governorship and the unicameral legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of December 18, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Nebraska.

NOTEWORTHY LEGISLATION

As of December 18, 2018, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Nebraska post-Janus.

NEBRASKA

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Nebraska. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Nebraska:

- **Union Recertification Act:** This policy would ensure “that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit.” The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

NEVADA



EXISTING LAW

Chapter 288 of the Nevada Revised Statutes addresses the collective bargaining rights of the state's public-sector employees. Nevada is a right-to-work state.

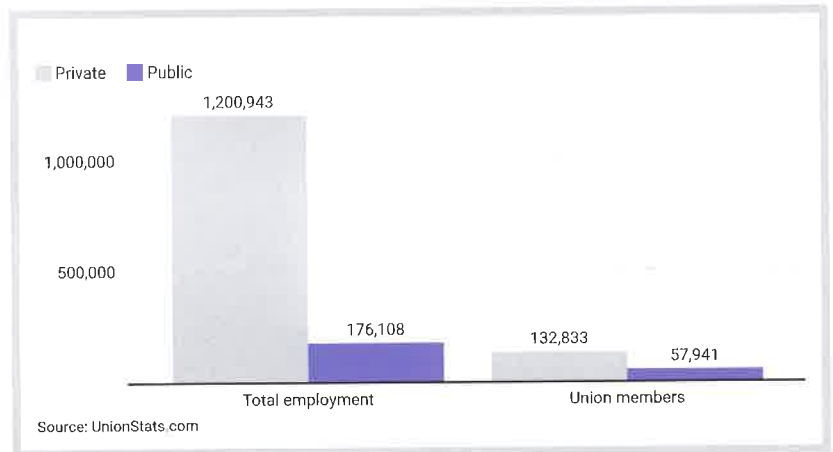
UNION LANDSCAPE

According to UnionStats.com, approximately 57,941 of Nevada's 176,108 public-sector workers in 2018 were union members, a membership rate of 32.9 percent. Relative to the other states, Nevada had the 21st highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Nevada

The first set of bars correspond to total workforce size in the private and public sectors in Nevada.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of Nevada's largest public-sector unions are provided below:

- Nevada State Education Association: Approximately 24,000 members as of 2019
- AFSCME Local 4041: Approximately 17,000 members as of 2019

POLITICAL LANDSCAPE

Democrats in Nevada hold the governorship and both chambers of the state legislature, establishing trifecta control of the state. Prior to the 2018 midterm elections, Nevada operated under divided government; a Republican held the governorship, but Democrats controlled both chambers of the state legislature.

PENDING LITIGATION

As of January 3, 2019, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Nevada.

NOTEWORTHY LEGISLATION

As of January 3, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Nevada post-Janus.

NEVADA

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Nevada. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Nevada:

- **Union Recertification Act:** This policy would ensure “that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit.” The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

NEW HAMPSHIRE



EXISTING LAW

Chapter 273-A of the New Hampshire Statutes addresses the collective bargaining rights of the state's public-sector employees.



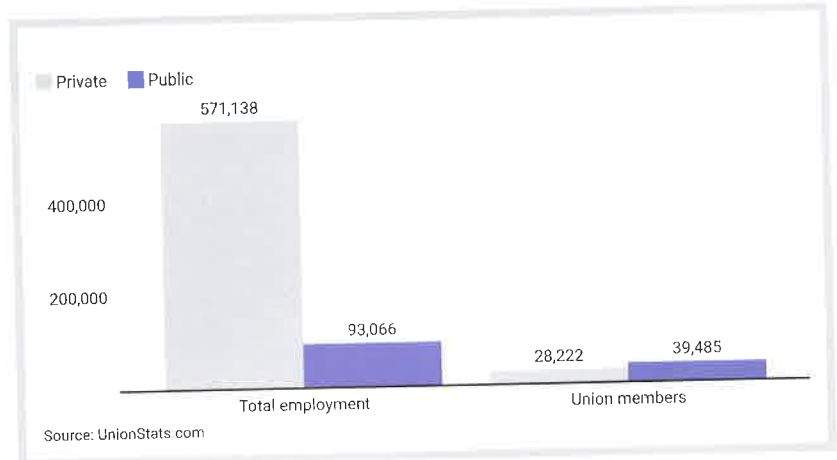
UNION LANDSCAPE

According to UnionStats.com, approximately 39,485 of New Hampshire's 93,066 public-sector workers in 2018 were union members, a membership rate of 42.4 percent. Relative to the other states, New Hampshire had the 16th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in New Hampshire

The first set of bars correspond to total workforce size in the private and public sectors in New Hampshire.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

New Hampshire operates under divided government, with a Republican holding the governorship and Democrats controlling both chambers of the state legislature. Prior to the 2018 midterm elections, New Hampshire was a Republican trifecta.



PENDING LITIGATION

As of January 7, 2019, no lawsuits relevant to public-sector union policy were pending before federal or state courts in New Hampshire.



NOTEWORTHY LEGISLATION

As of January 7, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in New Hampshire post-Janus.

NEW HAMPSHIRE

A | **ALEC SOLUTIONS**

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in New Hampshire. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in New Hampshire:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

NEW JERSEY

EXISTING LAW

The following portions of the New Jersey Statutes address the collective bargaining rights of the state's public-sector employees:

- Employer-Employee Relations Act (§§ 34:13A-1 to 34:13A-13)
- Police and Fire Public Interest Arbitration Reform Act (§§ 34:13A-14 to 34:13A-21)

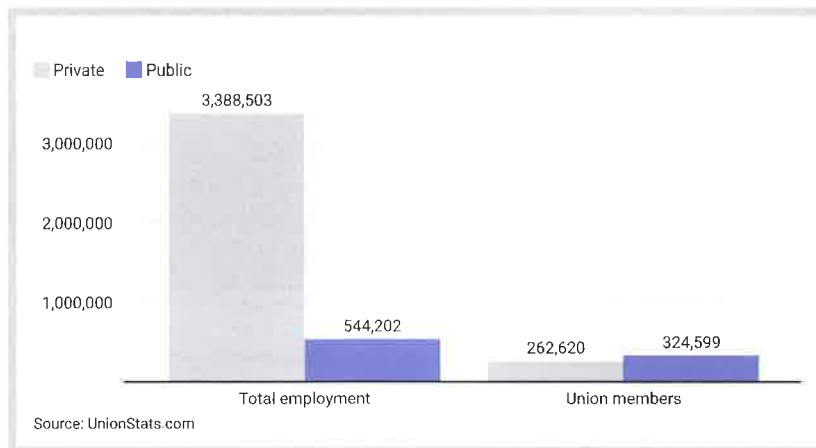
UNION LANDSCAPE

According to UnionStats.com, approximately 324,599 of New Jersey's 544,202 public-sector workers in 2018 were union members, a membership rate of 59.6 percent. Relative to the other states, New Jersey had the fourth highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in New Jersey

The first set of bars correspond to total workforce size in the private and public sectors in New Jersey.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of New Jersey's largest public-sector unions are provided below:

- New Jersey Education Association: 203,520 members as of 2019
- American Federation of Teachers: 19,549 members as of 2018

POLITICAL LANDSCAPE

Democrats in New Jersey hold the governor and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

- The following lawsuits related to public-sector union policy are pending before federal district courts in New Jersey. Click a case name to view its docket report.
- Fischer v. Murphy
- Smith v. New Jersey Education Association
- Thulen v. AFSCME

NEW JERSEY

| NOTEWORTHY LEGISLATION

The following bills relevant to public-sector union policy in New Jersey carried over from the 2018 legislative session to the 2019 session.

- Pro-Janus legislation (bills that generally support, or correspond with, the Supreme Court's ruling in Janus)
- A183: This bill would prohibit payroll deduction of union dues from wages or salaries of public-sector workers. Its companion bill in the Senate is S1650.

| ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in STATE. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in STATE:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

NEW MEXICO



EXISTING LAW

Article 7E of the New Mexico Statutes addresses the collective bargaining rights of the state's public-sector workers.



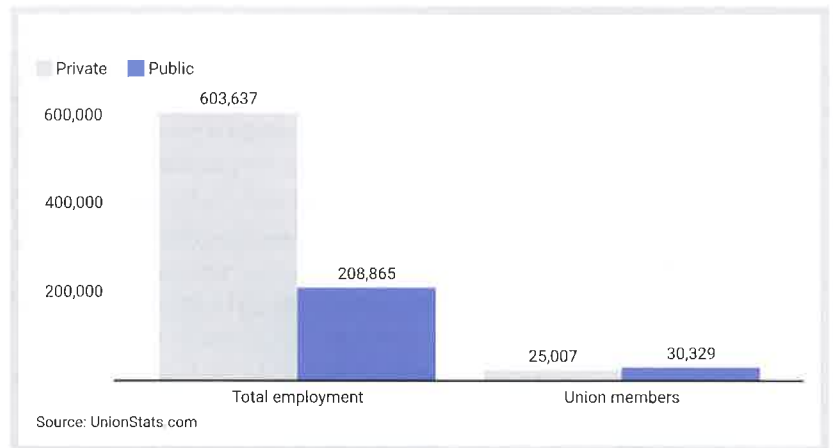
UNION LANDSCAPE

According to UnionStats.com, approximately 30,329 of New Mexico's 208,865 public-sector workers in 2018 were union members, a membership rate of 14.5 percent. Relative to the other states, New Mexico had the 40th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in New Mexico

The first set of bars correspond to total workforce size in the private and public sectors in New Mexico.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

Democrats in New Mexico hold the governorship and both chambers of the state legislature, establishing trifecta control of the state. Prior to the 2018 midterm elections, New Mexico operated under divided government, with a Republican governor and a Democratic legislature.



PENDING LITIGATION

As of January 7, 2019, no lawsuits relevant to public-sector union policy were pending before federal or state courts in New Mexico.



NOTEWORTHY LEGISLATION

As of January 7, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in New Mexico post-Janus.

NEW MEXICO

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in New Mexico. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in New Mexico:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

NEW YORK



EXISTING LAW

The New York State Public Employees' Fair Employment Act, also known as the Taylor Law, addresses the collective bargaining rights of the state's public-sector workers.



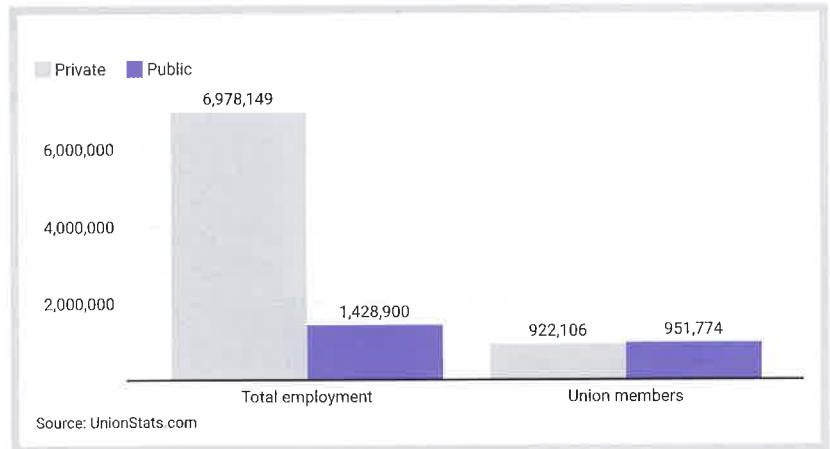
UNION LANDSCAPE

According to UnionStats.com, approximately 951,774 of New York's 1,428,900 public-sector workers in 2018 were union members, a membership rate of 66.6 percent. Relative to the other states, New York had the highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in New York

The first set of bars correspond to total workforce size in the private and public sectors in New York.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of New York's largest public-sector unions are provided below:

- New York State United Teachers: 664,238 members as of 2018
- AFSCME Council 37: 99,294 members as of 2018



POLITICAL LANDSCAPE

Democrats in New York hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.



PENDING LITIGATION

The following lawsuits related to public-sector union policy are pending before federal district courts in New York. Click a case name to view its docket report.

- Pellegrino v. New York State United Teachers
- Seidemann v. Professional Staff Congress



NOTEWORTHY LEGISLATION

As of January 2019, one relevant bill had introduced and referred to committee in the state legislature post-Janus: A00014, which would allow public-sector unions to re-vote on written agreements that were initially voted down.

NEW YORK

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in New York. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in New York:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

NORTH CAROLINA



EXISTING LAW

Chapter 95 of the North Carolina General Statutes addresses the general collective bargaining rights of all workers in the state. There is not a chapter of the state statutes that deals separately with the collective bargaining rights of public-sector workers. North Carolina is a right-to-work state.



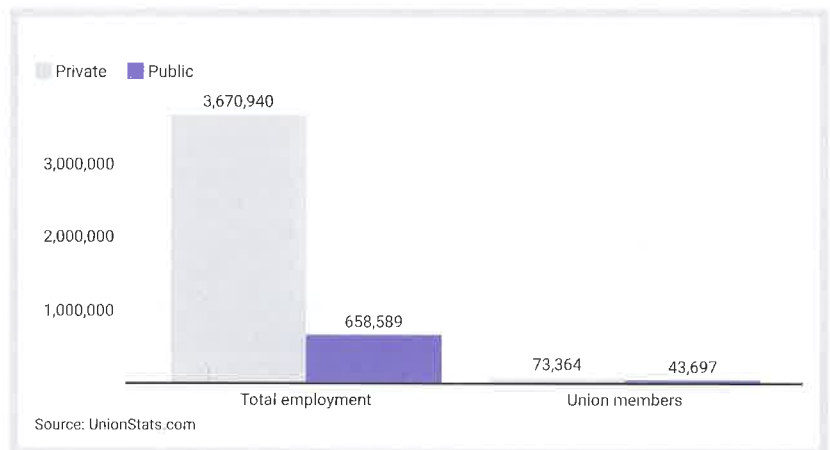
UNION LANDSCAPE

According to UnionStats.com, approximately 43,697 of North Carolina's 658,589 public-sector workers in 2018 were union members, a membership rate of 6.6 percent. Relative to the other states, North Carolina had the 50th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in North Carolina

The first set of bars correspond to total workforce size in the private and public sectors in North Carolina.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

North Carolina operates under divided government. A Democrat holds the governorship, but Republicans control both chambers of the state legislature.



PENDING LITIGATION

As of January 8, 2019, no lawsuits relevant to public-sector union policy were pending before federal or state courts in North Carolina.



NOTEWORTHY LEGISLATION

As of January 8, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in North Carolina post-Janus.



ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in North Carolina. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in North Carolina:

- **Union Recertification Act:** This policy would ensure "that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit." The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Prohibition on Paid Union Activity (Release Time) by Public Employees Act:** This policy would bar employers from paying public employees for time spent engaging in union activities.

NORTH DAKOTA



EXISTING LAW

The Public Employees Relations Act establishes the right of public-sector employees in North Dakota to form and join unions. Chapter 15.1-16 of the North Dakota Century Code establishes the same rights for teachers. North Dakota is a right-to-work state.

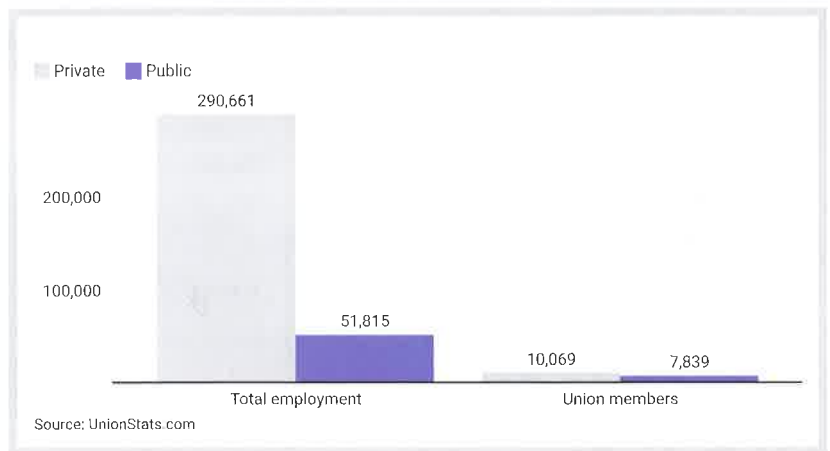
UNION LANDSCAPE

According to UnionStats.com, approximately 7,839 of North Dakota's 51,815 public-sector workers in 2018 were union members, a membership rate of 15.1 percent. Relative to the other states, North Dakota had the 39th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in North Dakota

The first set of bars correspond to total workforce size in the private and public sectors in North Dakota.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

In North Dakota, Republicans control the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of December 17, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in North Dakota.

NOTEWORTHY LEGISLATION

As of December 17, 2018, we have not tracked any legislation relevant to public-sector union policy that has been introduced in North Dakota post-Janus.

ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in North Dakota. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in North Dakota:

- **Union Recertification Act:** This policy would ensure "that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit." The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

OHIO

EXISTING LAW

Chapter 4117 of the Ohio Revised Code establishes the right of the state's public employees to form unions and bargain collectively. The law is administered by the State Employment Relations Board (SERV), a commission comprising three members appointed by the governor. Members serve staggered six-year terms, and no more than two board members can belong to the same political party.

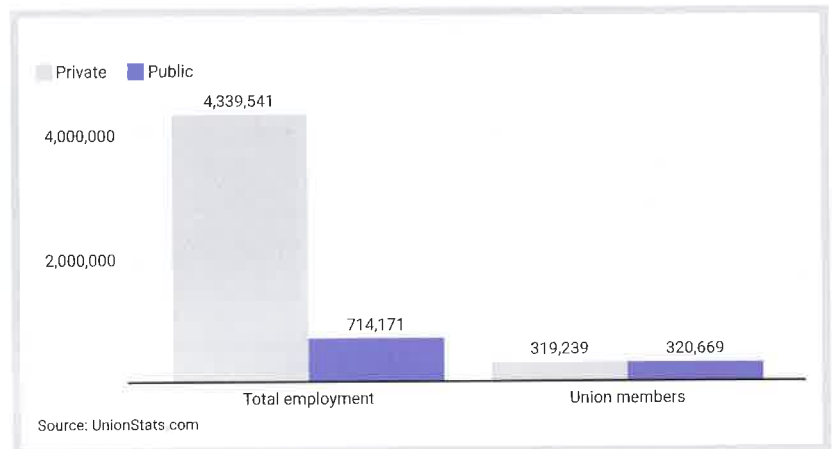
UNION LANDSCAPE

According to UnionStats.com, approximately 320,669 of Ohio's 714,171 public-sector workers in 2018 were union members, a membership rate of 44.9 percent. Relative to the other states, Ohio had the 14th highest public-sector union membership rate. The bar chart below compares membership rates in the public and private sectors in Ohio.

Union membership rates in the private and public sectors in Ohio

The first set of bars correspond to total workforce size in the private and public sectors in Ohio.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from three of the state's largest public-sector unions are provided below:

- Ohio Education Association (OEA): 123,453 members as of 2017
- AFSCME Council 8: 34,752 members as of 2017
- AFT Ohio: 14,461 members as of 2018

POLITICAL LANDSCAPE

Republicans have trifecta control of state government in Ohio, meaning that the party holds the governorship and majorities in both chambers of the state legislature.

PENDING LITIGATION

The following lawsuits related to public-sector union policy are pending before federal district courts in Ohio. Click a case name to view its docket report.

- **Thompson v. Marietta Education Association:** The plaintiff is challenging state law that permits local governments and labor unions to compel public employees who are not union members to pay agency fees.
- **Lee v. Ohio Education Association:** The plaintiff is challenging state law that permits unions to require non-members to pay agency fees.
- **Ogle v. Ohio Civil Service Employees Association, AFSCME, Local 11:** The plaintiff is challenging state law that permits unions to require non-members to pay agency fees. The plaintiff is asking the court to strike down the law in question and order unions to refund the fees paid by Ogle and other state employees.
- **Smith v. AFSCME Council No. 8:** The plaintiffs are challenging the legality of a union policy that restricts the period during which union members may resign to a 15-day window once per year.

OHIO

| NOTEWORTHY LEGISLATION

As of November 29, 2018, we had seen no legislation relevant to public-sector union policy that had been introduced in Ohio post-Janus.

| ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Ohio. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Ohio:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

OKLAHOMA



EXISTING LAW

Title 70, Chapter 7 of the Oklahoma Statutes establishes the right of public school employees to form and join unions. Title 11, Chapter 1, Article LI establishes the right of police and fire personnel to form and join unions. The state's Municipal Employee Collective Bargaining Act was repealed in 2011. Oklahoma is a right-to-work state.

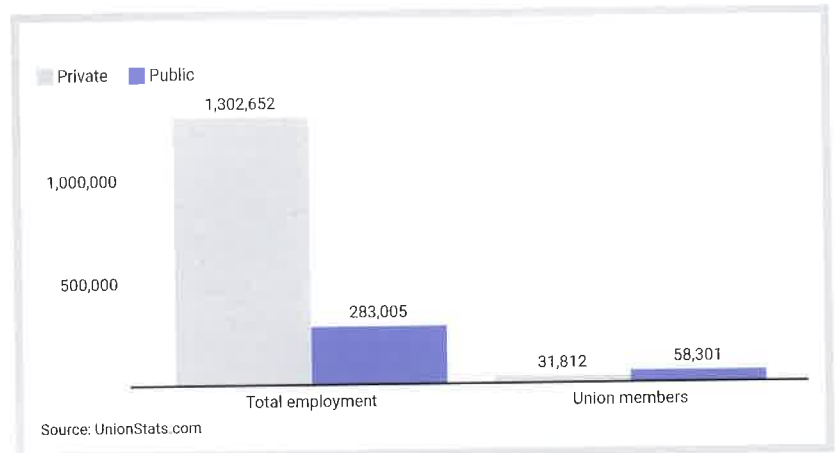
UNION LANDSCAPE

According to UnionStats.com, approximately 58,301 of Oklahoma's 283,005 public-sector workers in 2018 were union members, a membership rate of 20.6 percent. Relative to the other states, Oklahoma had the 33rd highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Oklahoma

The first set of bars correspond to total workforce size in the private and public sectors in Oklahoma.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from two of Oklahoma's largest public-sector unions are provided below:

- Oklahoma Education Association: Approximately 40,000 members as of 2017
- American Federation of Teachers: 2,061 members as of 2018

POLITICAL LANDSCAPE

Republicans in Oklahoma control the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of December 14, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Oklahoma.

NOTEWORTHY LEGISLATION

As of December 14, 2018, we have seen no legislation relevant to public-sector union policy that has been introduced in Oklahoma post-Janus.

OKLAHOMA

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Oklahoma. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Oklahoma:

- **Union Recertification Act:** This policy would ensure “that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit.” The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

OREGON

EXISTING LAW

Chapter 243 of the Oregon Revised Statutes addresses the collective bargaining rights of the state's public-sector workers.

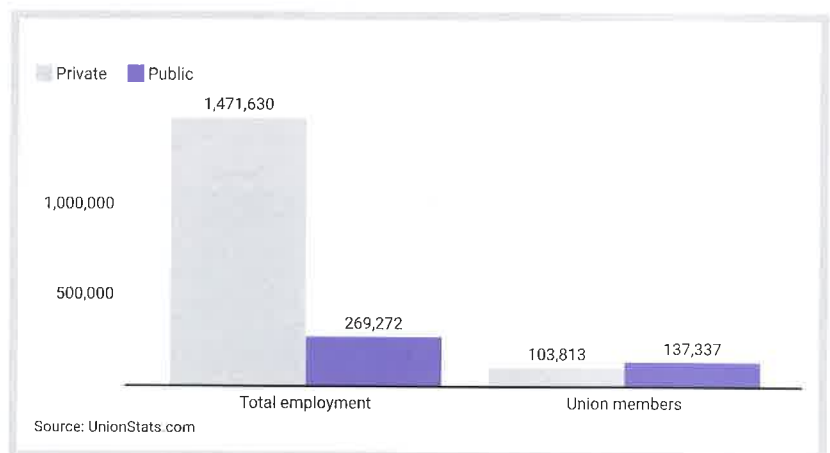
UNION LANDSCAPE

According to UnionStats.com, approximately 137,337 of Oregon's 269,272 public-sector workers in 2018 were union members, a membership rate of 51.0 percent. Relative to the other states, Oregon had the tenth highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Oregon

The first set of bars correspond to total workforce size in the private and public sectors in Oregon.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of Oregon's largest public-sector unions are provided below:

- Oregon Education Association: Approximately 44,000 members as of 2019
- AFSCME Council 75: 26,061 members as of 2018
- American Federation of Teachers: 9,085 members as of 2018

POLITICAL LANDSCAPE

Democrats in Oregon hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

The following lawsuits related to public-sector union policy are pending before federal district courts in Oregon. Click a case name to view its docket report.

- Chambers v. AFSCME L. 75
- Nearman v. SEIU Local 503

NOTEWORTHY LEGISLATION

As of January 8, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Oregon post-Janus.

OREGON

ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Oregon. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Oregon:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

PENNSYLVANIA

EXISTING LAW

Pennsylvania's Public Employee Relations Act, adopted in 1970, establishes the right of public-sector employees to form unions and bargain collectively. The law defines procedures for collective bargaining and prohibited activities on the part of employers and employees. The Policeman's and Fireman's Collective Bargaining Act, adopted in 1968, establishes collective bargaining rights for police officers and firefighters.

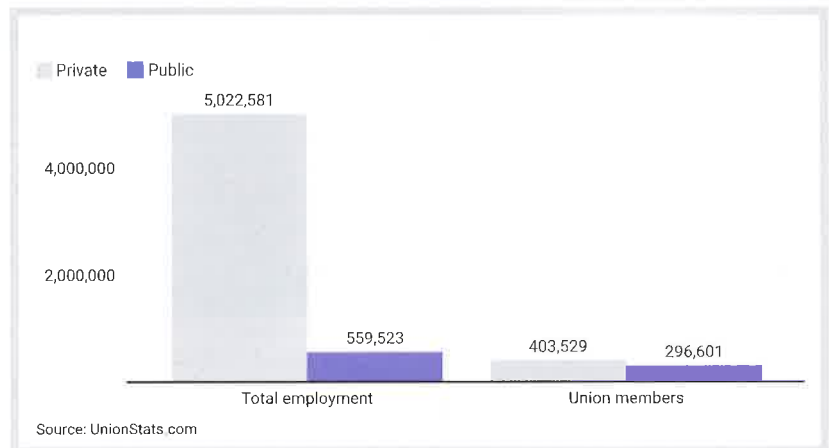
UNION LANDSCAPE

According to UnionStats.com, approximately 296,601 of Pennsylvania's 559,523 public-sector workers in 2018 were union members, a membership rate of 53.0 percent. Relative to the other states, Pennsylvania had the seventh highest public sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Pennsylvania

The first set of bars correspond to total workforce size in the private and public sectors in Pennsylvania.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from three of the state's largest public-sector unions are provided below:

- Pennsylvania State Education Association (PSEA): 180,731 members as of 2017
- AFSCME Council 13: 50,509 members as of 2018
- AFT Pennsylvania: 36,000 members as of 2018

POLITICAL LANDSCAPE

Pennsylvania is one of thirteen states operating under divided government. While Republicans control both chambers of the state legislature, Democrat Tom Wolf holds the governorship.

PENDING LITIGATION

The following lawsuits related to public-sector union policy are pending before federal district courts in Pennsylvania. Click a case name to view its docket report.

- *Diamond v. PSEA*: The plaintiffs are challenging union practices regarding the payment of agency fees. They seek a refund of previously paid fees and a prohibition against enrollment of new union members without first informing them of their rights under Janus.
- *Hartnett v. PSEA*: The plaintiffs are challenging a state law that permits public-sector unions to charge non-members agency fees.
- *Misja v. PSEA*: The plaintiff is challenging union practices regarding the payment of agency fees by religious objectors.
- *Neely v. AFSCME Council 13*: The plaintiff is challenging a union rule that restricts membership resignations to a 15-day period annually.

PENNSYLVANIA

| NOTEWORTHY LEGISLATION

- The following bills were all introduced and referred to committee in September and October 2018, post-Janus.
- Pro-Janus legislation (bills that generally support, or correspond with, the Supreme Court's ruling in Janus)
 - HB2571: This bill would require public employers to notify non-union members every payday that payments to unions are voluntary. This would also require public employers to notify new employees that union membership is not compulsory. The bill would prohibit public employers from making payroll deductions from non-union members for voluntary union payments.
 - SB1278: This bill would establish the right of public employees to bargain with their employers independently from recognized employee unions. The bill would require public employers to notify employees that they are under no legal obligation to provide financial support to unions. The bill would also prohibit future collective bargaining agreements from containing provisions restricting the period during which members can resign from a union.
 - Anti-Janus legislation (bills that are considered reactions against Janus)
 - HB2606: This bill would alter the union formation process to "allow for a simple card check where expressing majority support would be sufficient." The bill would also require that employers grant union representatives access to new employees to provide information on union membership.
 - SB13: This bill would alter the union formation process to "allow for a simple card check where expressing majority support would be sufficient." The bill would also require that employers grant union representatives access to new employees to provide information on union membership.

| ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Pennsylvania. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Pennsylvania:

- **Comprehensive Public Employee Freedom Act:** This model policy "provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations." The policy also asserts the "public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers."
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

RHODE ISLAND

EXISTING LAW

The following portions of the Rhode Island General Laws address the collective bargaining rights of the state's public-sector workers:

- Chapter 36-11, Organization of State Employees
- Chapter 28-9.1, Firefighters' Arbitration
- Chapter 28-9.2, Municipal Police Arbitration
- Chapter 28-9.3, Certified School Teachers' Arbitration
- Chapter 28-9.4, Municipal Employees' Arbitration
- Chapter 28-9.5, State Police Arbitration
- Chapter 28-9.6, 911 Employees' Arbitration
- Chapter 28-9.7, Correctional Officers Arbitration

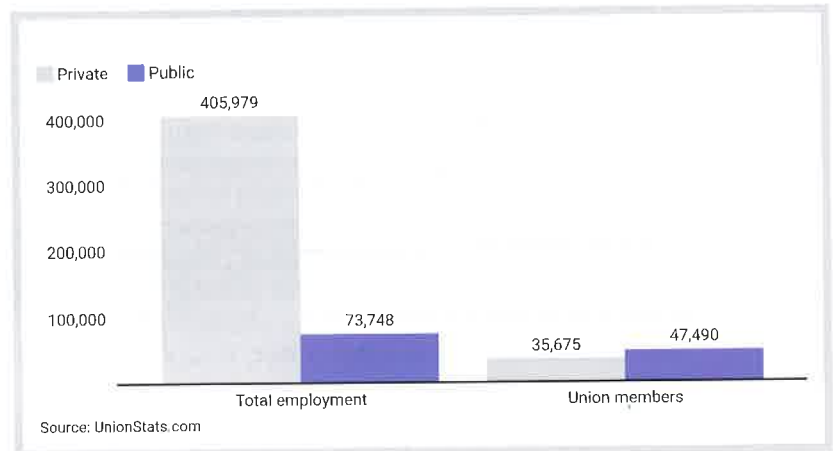
UNION LANDSCAPE

According to UnionStats.com, approximately 47,490 of Rhode Island's 73,748 public-sector workers in 2018 were union members, a membership rate of 64.4 percent. Relative to the other states, Rhode Island had the second highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Rhode Island

The first set of bars correspond to total workforce size in the private and public sectors in Rhode Island.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of Rhode Island's largest public-sector unions are provided below:

- Rhode Island National Education Association: 11,231 members as of 2018
- American Federation of Teachers: 9,174 members as of 2018
- AFSCME Council 94: 7,278 members as of 2018

POLITICAL LANDSCAPE

Democrats in Rhode Island hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of January 9, 2019, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Rhode Island.

RHODE ISLAND

Q | NOTEWORTHY LEGISLATION

As of January 9, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Rhode Island post-Janus.

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Rhode Island. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Rhode Island:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

SOUTH CAROLINA



EXISTING LAW

Title 41 of the South Carolina Code of Laws addresses the collective bargaining rights of the state's labor force generally. South Carolina is a right-to-work state.

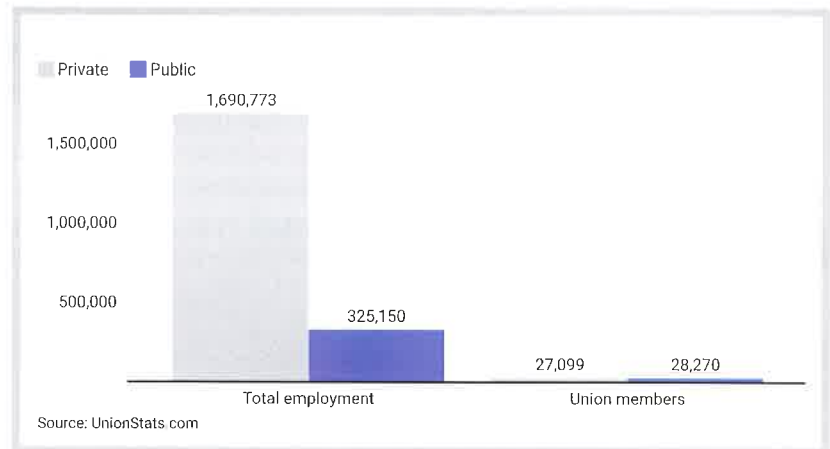
UNION LANDSCAPE

According to UnionStats.com, approximately 28,270 of South Carolina's 325,150 public-sector workers in 2018 were union members, a membership rate of 8.7 percent. Relative to the other states, South Carolina had the 48th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in South Carolina

The first set of bars correspond to total workforce size in the private and public sectors in South Carolina.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

Republicans in South Carolina hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of January 9, 2019, no lawsuits relevant to public-sector union policy were pending before federal or state courts in South Carolina.

NOTEWORTHY LEGISLATION

As of January 9, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in South Carolina post-Janus.

ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in South Carolina. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in South Carolina:

- **Union Recertification Act:** This policy would ensure "that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit." The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Prohibition on Paid Union Activity (Release Time) by Public Employees Act:** This policy would bar employers from paying public employees for time spent engaging in union activities.

SOUTH DAKOTA



EXISTING LAW

Chapter 3-18 of the South Dakota Codified Laws establishes the right of public-sector employees in the state to form and join unions. The South Dakota Department of Labor and Regulation is responsible for administering the law. South Dakota is a right-to-work state.

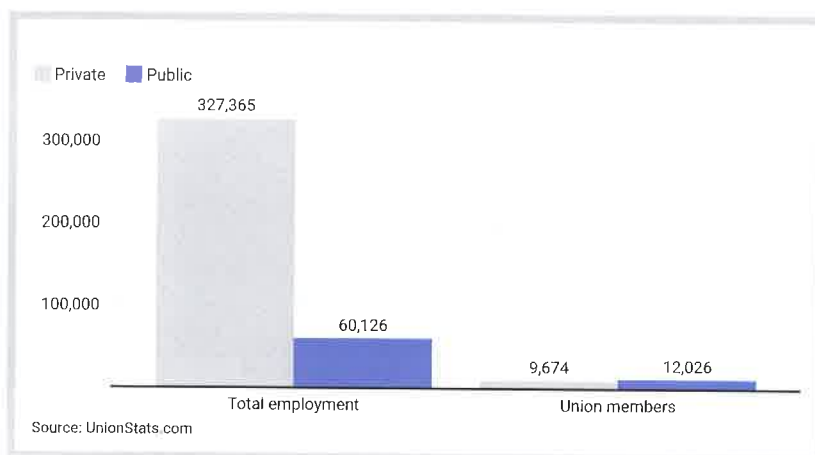
UNION LANDSCAPE

According to UnionStats.com, approximately 12,026 of South Dakota's 60,126 public-sector workers in 2018 were union members, a membership rate of 20.0 percent. Relative to the other states, South Dakota had the 35th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in South Dakota

The first set of bars correspond to total workforce size in the private and public sectors in South Dakota.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

In South Dakota, Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of December 17, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in South Dakota.

NOTEWORTHY LEGISLATION

As of December 17, 2018, we have not tracked any legislation relevant to public-sector union policy that has been introduced in South Dakota post-Janus.

ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in South Dakota. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in South Dakota:

- **Union Recertification Act:** This policy would ensure "that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit." The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

TENNESSEE



EXISTING LAW

The Professional Educators Collaborative Conference Act of 2011 establishes the right of professional public school employees in Tennessee to join, form, or refrain from joining labor unions. There do not appear to be similar statutes in place applicable to other types of public-sector employees. Tennessee is a right-to-work state.

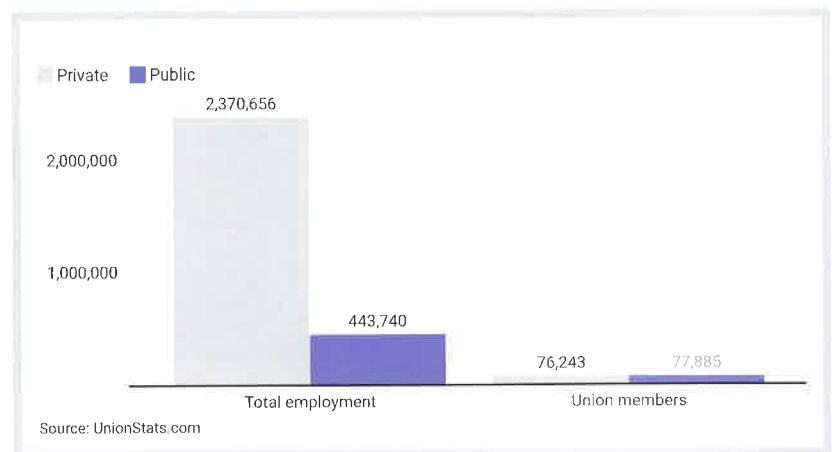
UNION LANDSCAPE

According to UnionStats.com, approximately 77,885 of Tennessee's 443,740 public-sector workers in 2018 were union members, a membership rate of 17.6 percent. Relative to the other states, Tennessee had the 37th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors

Union membership rates in the private and public sectors in Tennessee

The first set of bars correspond to total workforce size in the private and public sectors in Tennessee.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

In Tennessee, Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state. Republicans have maintained trifecta control in the state since 2011.

PENDING LITIGATION

As of December 14, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Tennessee.

NOTEWORTHY LEGISLATION

As of December 14, 2018, we have seen no legislation relevant to public-sector union policy that has been introduced in Tennessee post-Janus.

ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Tennessee. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Tennessee:

- **Union Recertification Act:** This policy would ensure "that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit." The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Prohibition on Paid Union Activity (Release Time) by Public Employees Act:** This policy would bar employers from paying public employees for time spent engaging in union activities.

TEXAS



EXISTING LAW

Chapter 101 of the Texas Labor Code addresses the collective bargaining rights of the state's public and private workforces. Texas is a right-to-work state.

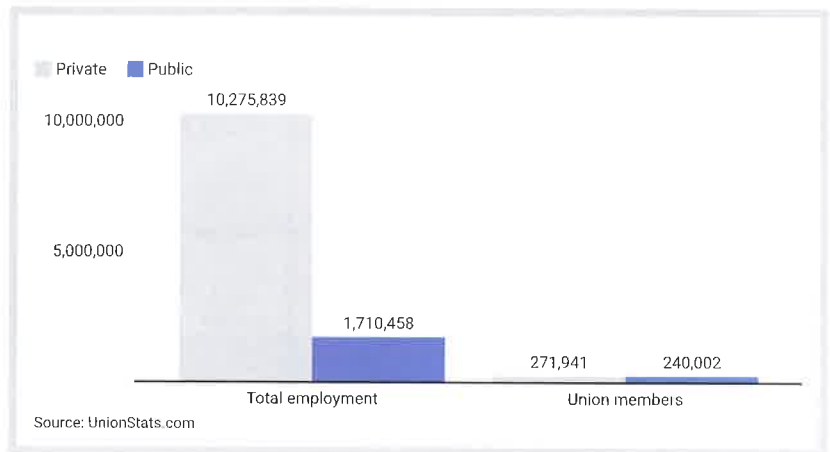
UNION LANDSCAPE

According to UnionStats.com, approximately 240,002 of Texas' 1,710,458 public-sector workers in 2018 were union members, a membership rate of 14.0 percent. Relative to the other states, Texas had the 42nd highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Texas

The first set of bars correspond to total workforce size in the private and public sectors in Texas.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

Republicans in Texas hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of January 9, 2019, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Texas.

NOTEWORTHY LEGISLATION

As of January 9, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Texas post-Janus.

ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Texas. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Texas:

- **Union Recertification Act:** This policy would ensure "that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit." The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Prohibition on Paid Union Activity (Release Time) by Public Employees Act:** This policy would bar employers from paying public employees for time spent engaging in union activities.

UTAH



EXISTING LAW

Title 34 of the Utah Code establishes the right of employees generally to form and join unions. The Utah Labor Commission is responsible for administration of the law. Utah is a right-to-work state.

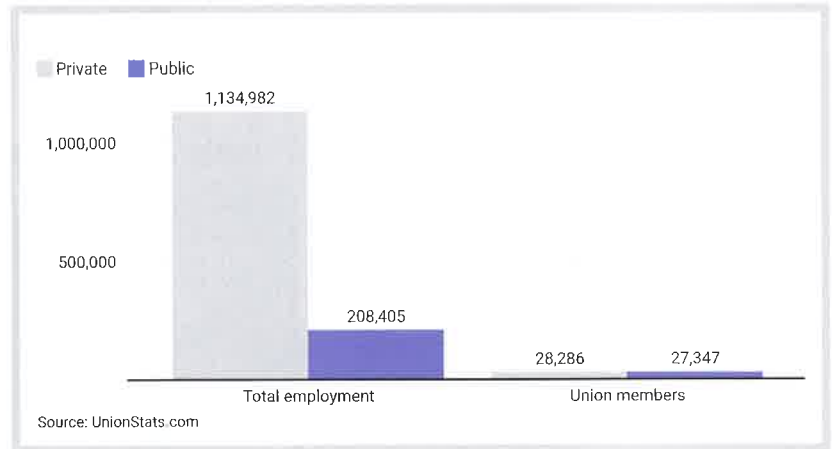
UNION LANDSCAPE

According to UnionStats.com, approximately 27,347 of Utah's 208,405 public-sector workers in 2018 were union members, a membership rate of 13.1 percent. Relative to the other states, Utah had the 44th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Utah

The first set of bars correspond to total workforce size in the private and public sectors in Utah.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

Republicans in Utah hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of December 18, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Utah.

NOTEWORTHY LEGISLATION

As of December 18, 2018, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Utah post-Janus.

ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Utah. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Utah:

- **Union Recertification Act:** This policy would ensure "that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit." The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

VERMONT

EXISTING LAW

The following portions of the Vermont Statutes address the collective bargaining rights of the state's public-sector workforce:

- Title 3, Chapter 27, State Employees Labor Relations Act
- Title 3, Chapter 28, Judiciary Employees Labor Relations Act
- Title 16, Chapter 57, Labor Relations for Teachers and Administrators
- Title 21, Chapter 19, Vermont State Labor Relations Act
- Title 21, Chapter 22, Vermont Municipal Labor Relations Act

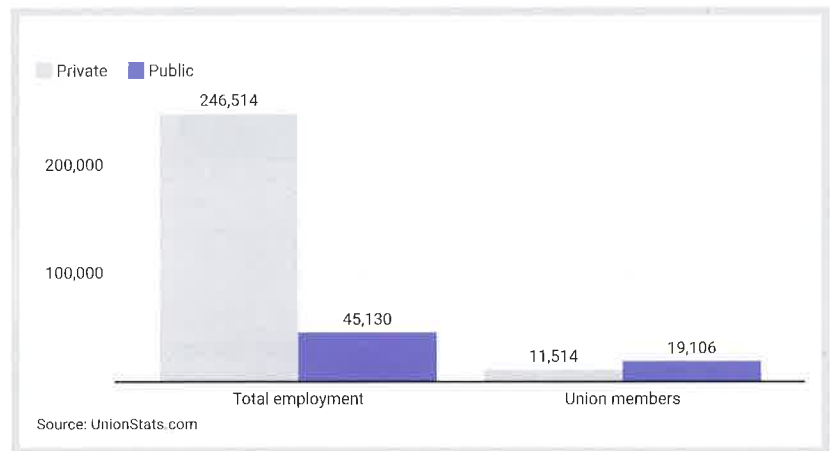
UNION LANDSCAPE

According to UnionStats.com, approximately 19,106 of Vermont's 45,130 public-sector workers in 2018 were union members, a membership rate of 42.3 percent. Relative to the other states, Vermont had the 17th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Vermont

The first set of bars correspond to total workforce size in the private and public sectors in Vermont.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of Vermont's largest public-sector unions are provided below:

- Vermont-NEA: Approximately 13,000 members as of 2019
- American Federation of Teachers: 3,872 members as of 2018

POLITICAL LANDSCAPE

Vermont operates under divided government. A Republican holds the governorship, but Democrats control both chambers of the state legislature.

PENDING LITIGATION

As of January 10, 2019, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Vermont.

NOTEWORTHY LEGISLATION

As of January 10, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Vermont post-Janus.

VERMONT

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Vermont. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Vermont:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

VIRGINIA



EXISTING LAW

Section 40.1-57.2 of the Code of Virginia expressly prohibits state, county, and municipal governmental entities from engaging in collective bargaining with public-sector labor unions. Virginia is a right-to-work state.

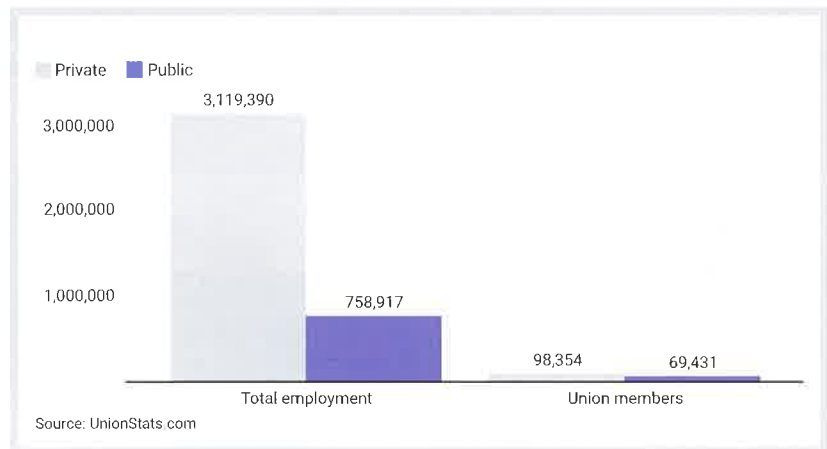
UNION LANDSCAPE

According to UnionStats.com, approximately 69,431 of Virginia's 758,917 public-sector workers in 2018 were union members, a membership rate of 9.1 percent. Relative to the other states, Virginia had the 47th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Virginia

The first set of bars correspond to total workforce size in the private and public sectors in Virginia.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

Virginia operates under divided government. A Democrat holds the governorship, but Republicans control both chambers of the state legislature. Both chambers of the legislature are up for election in 2019.

PENDING LITIGATION

As of January 10, 2019, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Virginia.

NOTEWORTHY LEGISLATION

The following bills were all introduced and referred to committee in December 2018 and January 2019, post-Janus.

- Anti-Janus legislation (bills that are considered reactions against Janus)
 - HB1764: This bill would repeal a state law establishing that any government employee who engages in a strike has terminated his or her employment and rendered himself or herself ineligible for public-sector employment thereafter.
 - HB1806: This bill would repeal the state's right-to-work provisions.

VIRGINIA

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Virginia. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Virginia:

- **Union Recertification Act:** This policy would ensure “that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit.” The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Prohibition on Paid Union Activity (Release Time) by Public Employees Act:** This policy would bar employers from paying public employees for time spent engaging in union activities.

WASHINGTON



EXISTING LAW

The following portions of the Revised Code of Washington address the collective bargaining rights of the state's public-sector workforce:

- Chapter 41.56: Public Employees' Collective Bargaining
- Chapter 41.59: Educational Employment Relations Act
- Chapter 28B.52: Collective Bargaining—Academic Personnel in Community Colleges
- Chapter 47.64: Marine Employees—Public Employment Relations
- Chapter 53.18: Employment Relations—Collective Bargaining and Arbitration



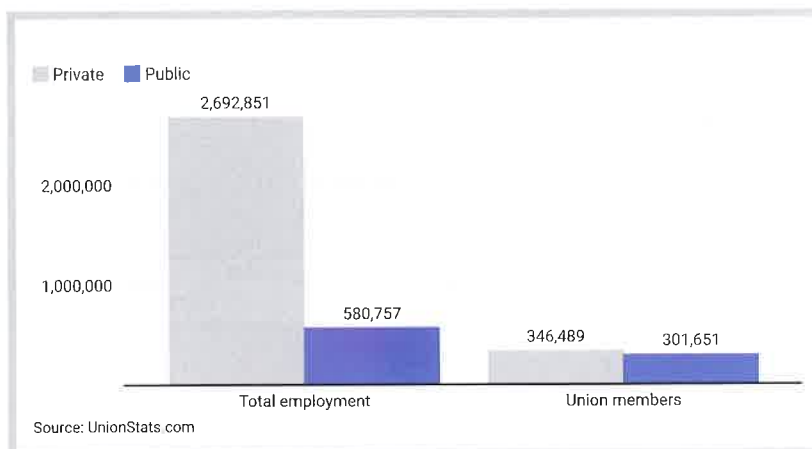
UNION LANDSCAPE

According to UnionStats.com, approximately 301,651 of Washington's 580,757 public-sector workers in 2018 were union members, a membership rate of 51.9 percent. Relative to the other states, Washington had the ninth highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Washington

The first set of bars correspond to total workforce size in the private and public sectors in Washington.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from some of Washington's largest public-sector unions are provided below:

- AFSCME Council 28: 36,293 members as of 2018
- American Federation of Teachers: 5,550 members as of 2018



POLITICAL LANDSCAPE

Democrats in Washington hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.



PENDING LITIGATION

The following lawsuits related to public-sector union policy are pending before federal courts in Washington. Click a case name to view its docket report.

- Belgau v. Inslee
- Carey v. Inslee
- Danielson v. Inslee
- Fisk v. Inslee
- Mentele v. Inslee

WASHINGTON

📄 | NOTEWORTHY LEGISLATION

As of January 10, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Washington post-Janus.

🅐 | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Washington. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Washington:

- **Comprehensive Public Employee Freedom Act:** This model policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees right to opt-out of union representation and represent themselves, as well as allowing unions to forego representation of non-dues or fee payers.”
- **Public Employee Rights and Authorization Act:** This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.

WEST VIRGINIA



EXISTING LAW

Chapter 6C-2 of the West Virginia Code governs public employee relations in the state. The statutes define the rights and responsibilities of public employees, employee organizations, and employers. West Virginia is a right-to-work state.

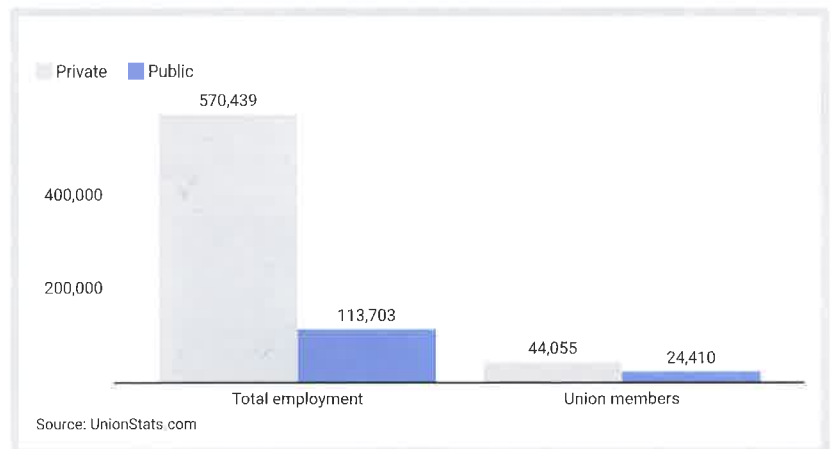
UNION LANDSCAPE

According to UnionStats.com, approximately 24,410 of West Virginia's 113,703 public-sector workers in 2018 were union members, a membership rate of 21.5 percent. Relative to the other states, West Virginia had the 30th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in West Virginia

The first set of bars correspond to total workforce size in the private and public sectors in West Virginia.

The second set of bars relates to union membership figures in the private and public sectors.



Membership figures from two of West Virginia's largest public-sector unions are provided below:

- West Virginia Education Association: Approximately 15,000 members as of 2018
- American Federation of Teachers: 9,555 members as of 2018

POLITICAL LANDSCAPE

Republicans in West Virginia control the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of December 14, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in West Virginia.

NOTEWORTHY LEGISLATION

As of December 14, 2018, we have not tracked any legislation relevant to public-sector union policy that has been introduced in West Virginia post-Janus.

WEST VIRGINIA

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in West Virginia. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in West Virginia:

- **Union Recertification Act:** This policy would ensure “that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit.” The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Prohibition on Paid Union Activity (Release Time) by Public Employees Act:** This policy would bar employers from paying public employees for time spent engaging in union activities.

WISCONSIN



EXISTING LAW

The following portions of the Wisconsin Statutes address the collective bargaining rights of the state's public-sector workforce:

- Chapter 111, Subchapter V, State Employment Labor Relations
- Chapter 111, Subchapter IV, Municipal Employment Relations

Wisconsin is a right-to-work state.

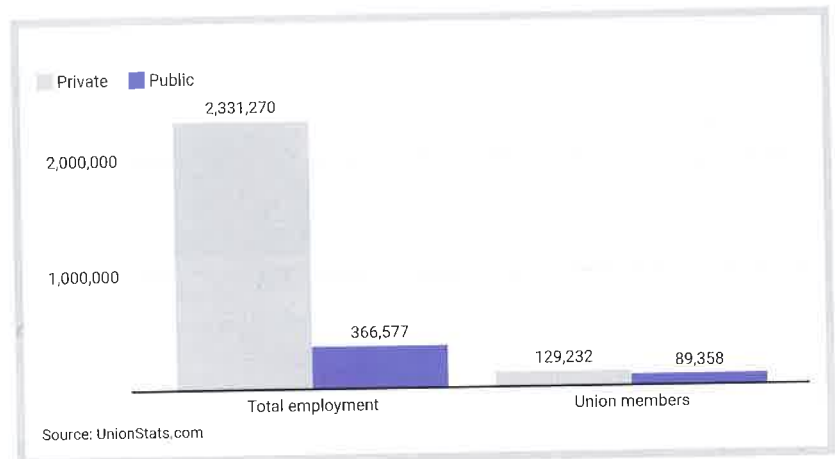
UNION LANDSCAPE

According to UnionStats.com, approximately 89,358 of Wisconsin's 366,577 public-sector workers in 2018 were union members, a membership rate of 24.4 percent. Relative to the other states, Wisconsin had the 27th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Wisconsin

The first set of bars correspond to total workforce size in the private and public sectors in Wisconsin.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

Wisconsin operates under divided government, with a Democrat holding the governorship and Republicans controlling both chambers of the state legislature. Tony Evers (D) defeated Scott Walker (R) in the November 2018 general election, ending a Republican trifecta.

PENDING LITIGATION

As of January 10, 2019, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Wisconsin.

NOTEWORTHY LEGISLATION

As of January 10, 2019, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Wisconsin post-Janus.

WISCONSIN

A | ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Wisconsin. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Wisconsin:

- **Prohibition on Paid Union Activity (Release Time) by Public Employees Act:** This policy would bar employers from paying public employees for time spent engaging in union activities.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.

WYOMING



EXISTING LAW

Title 27, Chapter 10 of the Wyoming Statutes establishes the right of firefighters in Wyoming to collectively bargain. Other state statutes providing for the right to bargain collectively do not apply to other public-sector workers. Wyoming is a right-to-work state.

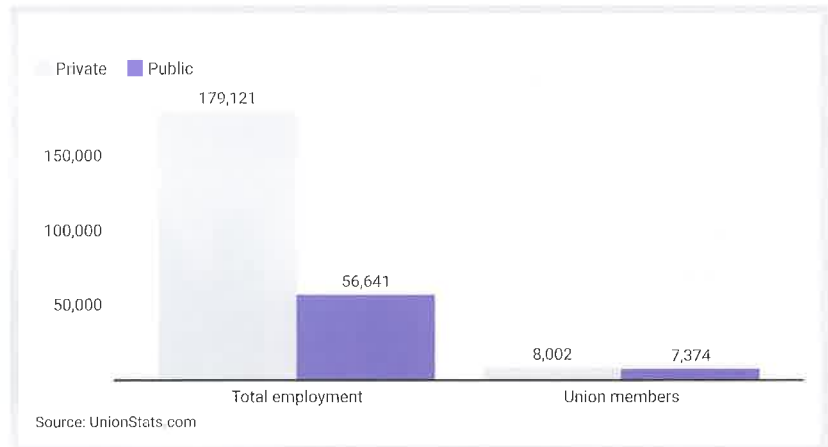
UNION LANDSCAPE

According to UnionStats.com, approximately 7,374 of Wyoming's 56,641 public-sector workers in 2018 were union members, a membership rate of 13.0 percent. Relative to the other states, Wyoming had the 45th highest public union membership rate. The bar chart below compares membership rates in the public and private sectors.

Union membership rates in the private and public sectors in Wyoming

The first set of bars correspond to total workforce size in the private and public sectors in Wyoming.

The second set of bars relates to union membership figures in the private and public sectors.



POLITICAL LANDSCAPE

Republicans in Wyoming hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

PENDING LITIGATION

As of December 18, 2018, no lawsuits relevant to public-sector union policy were pending before federal or state courts in Wyoming.

NOTEWORTHY LEGISLATION

As of December 18, 2018, we have not tracked any legislation relevant to public-sector union policy that has been introduced in Wyoming post-Janus.

ALEC SOLUTIONS

The American Legislative Exchange Council (ALEC) has proposed the following model policies relevant to public-sector union policy in Wyoming. These policies would, if enacted, alter the state's existing public-sector union laws. These policies may be similar to legislation that has already been proposed in Wyoming:

- **Union Recertification Act:** This policy would ensure "that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit." The policy provides for secret ballot elections every even year for union recertification.
- **Union Financial Responsibility Act:** This policy would establish financial disclosure requirements for public-sector labor unions.
- **Public Employee Choice Act:** This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions not to represent non-members.