

SENATE BILL NO. 44

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY SENATOR GIESSEL

Introduced: 2/6/15

Referred: Labor and Commerce, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the religious exemptions in the Public Employment Relations Act**
2 **and the Alaska Railroad Corporation Act."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 23.40.225 is amended to read:

5 **Sec. 23.40.225. Exemption based on religious convictions.** Notwithstanding
6 the provisions of AS 23.40.220, a collective bargaining settlement reached, or
7 agreement entered into, under AS 23.40.210 that incorporates union security
8 provisions, including [BUT NOT LIMITED TO] a union shop or agency shop
9 provision or agreement, shall safeguard the rights of nonassociation of employees
10 having bona fide religious convictions based on tenets or teachings of a church or
11 religious body of which an employee is a member. Upon submission of proper proof
12 of religious conviction to the labor relations agency, the agency shall declare the
13 employee exempt from becoming a member of a labor organization or employee
14 association. The employee shall pay an amount of money equivalent to regular union

1 or association dues, initiation fees, and assessments to the union or association.
2 Nonpayment of this money subjects the employee to the same penalty as if it were
3 nonpayment of dues. The receiving union or association shall contribute an equivalent
4 amount of money to a charity of the employee's [ITS] choice not affiliated with a
5 religious, labor, or employee organization. The union or association shall submit proof
6 of contribution to the labor relations agency.

7 * **Sec. 2.** AS 42.40.880 is amended to read:

8 **Sec. 42.40.880. Exemption.** Notwithstanding the provisions of AS 42.40.870,
9 a collective bargaining settlement reached, or agreement entered into, under
10 AS 42.40.860 that incorporates union security provisions, including a union shop or
11 agency shop provision or agreement, shall safeguard the rights of nonassociation of
12 employees having bona fide religious convictions based on tenets or teachings of a
13 church or religious body of which an employee is a member. Upon submission of
14 proper proof of religious conviction to the railroad labor relations agency, the agency
15 shall declare the employee exempt from becoming a member of an organization. The
16 employee shall pay an amount of money equivalent to regular organization dues,
17 initiation fees, and assessments to the organization. Nonpayment of this money
18 subjects the employee to the same penalty as if it were nonpayment of dues. The
19 receiving organization shall contribute an equivalent amount of money to a charity of
20 the employee's [ITS] choice not affiliated with a religious, labor, or employee
21 organization. The organization shall submit to the railroad labor relations agency proof
22 of contribution.