

HB459 INTRODUCED



1 HB459
2 6GT8313-1
3 By Representatives Stadthagen, Shedd, Sorrells, Marques,
4 Kirkland, Moore (P), Colvin, Wilcox, Garrett, Lovvorn,
5 Simpson, Shirey, Lamb, Gidley, Ledbetter, Oliver, Carns
6 RFD: Commerce and Small Business
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SYNOPSIS:

Under existing law, a labor union may be recognized by an employer if a majority of employees sign cards pledging to join the union.

This bill would condition an employer's eligibility for economic development incentives upon the employer refraining from certain practices relating to employee representation by a labor organization.

A BILL
TO BE ENTITLED
AN ACT

Relating to labor organizations; to condition an employers' eligibility for economic development incentives upon the employer refraining from certain practices relating to employee representation by a labor organization; and to provide oversight.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For purposes of this act, the following words have the following meanings:

(1) ECONOMIC DEVELOPMENT INCENTIVE. A grant, loan, or tax credit provided by the state or local government to an employer.



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29 (2) EMPLOYEE. An individual who performs services for
30 an employer for wages that are subject to withholding
31 requirements under 26 U.S.C. §3402.

32 (3) EMPLOYER. A person or entity that voluntarily
33 pursues an economic development incentive and enters into an
34 agreement with the state or local government for the purpose
35 of receiving the incentive.

36 (4) LABOR ORGANIZATION. The same meaning as provided in
37 Section 25-7-2, Code of Alabama 1975.

38 (5) PERSONAL CONTACT INFORMATION. An individual's home
39 address, home phone number, cell phone number, or personal
40 email address.

41 (6) PROJECT. The activity or enterprise for which an
42 employer receives an economic development incentive.

43 (7) SECRET BALLOT ELECTION. A process conducted by an
44 agent of the National Labor Relations Board in which an
45 employee casts a secret ballot for or against labor
46 organization representation.

47 (8) SUBCONTRACTOR. A person that has contracted with an
48 employer to perform work or provide services.

49 (b) No employer shall be eligible to receive an
50 economic development incentive for a project if the employer
51 does any of the following:

52 (1) Voluntarily grants recognition rights for the
53 employer's employees solely and exclusively on the basis of
54 signed labor organization authorization cards if the selection
55 of a bargaining representative may be conducted through a
56 secret ballot election.



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57 (2) Voluntarily discloses an employee's personal
58 contact information to a labor organization, or third party
59 acting on behalf of a labor organization, without the
60 employee's prior written consent, unless otherwise required by
61 state or federal law.

62 (3) Requires a subcontractor to engage in activities
63 prohibited by subdivision (1) or (2).

64 (c) An employer that engages in any activity prohibited
65 by subsection (b) shall be required to repay all economic
66 development incentives received over the life of the project.

67 (d) This section shall not apply to any agreement
68 between the state and an employer executed prior to January 1,
69 2025.

70 (e) The Alabama Department of Revenue may investigate
71 potential violations of subsection (b) of Section 1 and
72 enforce the provisions of this section.

73 Section 2. This act shall become effective on October
74 1, 2024.