

SB231 INTRODUCED



1 SB231
2 YFCJ2N6-1
3 By Senators Orr, Jones, Roberts, Hovey, Allen, Weaver
4 RFD: Fiscal Responsibility and Economic Development
5 First Read: 19-Mar-24



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

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

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

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

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

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

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

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

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