

LEGISLATIVE HISTORY CHECKLIST

(Public Employee Unions--except schools & county colleges--permit union dues to be negotiable)

NJSA 52:14-15.9e

LAWS OF 1977

CHAPTER 295

Bill No. A2125

Sponsor(s) Jackman

Date Introduced July 6, 1976

Committee: Assembly Judiciary, Law, Public Safety & Defense

Senate State Gov't, Federal & Interstate Relations &

Veterans Affairs

Amended during passage Yes  No

According to Governor's recommendations.

Date of Passage: Assembly May 9, 1977 Re'enacted Oct. 17, 1977

Senate July 11, 1977 Re'enacted Nov. 21, 1977

Date of approval December 12, 1977

Following statements are attached if available:

Sponsor statement	Yes	<input checked="" type="checkbox"/>	(Below)
Committee Statement: Assembly		<input checked="" type="checkbox"/>	No
Senate	Yes	<input checked="" type="checkbox"/>	
Fiscal Note		<input checked="" type="checkbox"/>	No
Veto Message	Yes	<input checked="" type="checkbox"/>	
Message on signing		<input checked="" type="checkbox"/>	No

Following were printed:

Reports		<input checked="" type="checkbox"/>	No
Hearings		<input checked="" type="checkbox"/>	No

Sponsor's Statement:

This bill permits duly certified majority representatives to negotiate with public employers as to voluntary dues deduction exclusive to such representative.

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## ASSEMBLY, No. 2125

## STATE OF NEW JERSEY

INTRODUCED JULY 6, 1976

By Assemblyman JACKMAN

Referred to Committee on Judiciary, Law, Public Safety and Defense

AN ACT to amend "An act to provide for payroll deductions from the compensation of State, county, municipal and school employees for employee organization dues and supplementing Title 52 of the Revised Statutes," approved February 27, 1968 (P. L. 1967, c. 310) as said title was amended by P. L. 1969, c. 233.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. Section 1 of P. L. 1967, c. 310 (C. 52:14-15.9e) is amended to  
2 read as follows:

3 1. Whenever any person holding employment, whose compensa-  
4 tion is paid by this State or by any county, municipality, board  
5 of education or authority in this State, or by any board, body,  
6 agency or commission thereof shall indicate in writing to the proper  
7 disbursing officer his desire to have any deductions made from  
8 his compensation, for the purpose of paying the employee's dues  
9 to a bona fide employee organization, designated by the employee  
10 in such request, and of which said employee is a member, such  
11 disbursing officer shall make such deduction from the compensation  
12 of such person and such disbursing officer shall transmit the sum  
13 so deducted to the employee organization designated by the em-  
14 ployee in such request.

15 Any such written authorization may be withdrawn by such person  
16 holding employment at any time by the filing of notice of such  
17 withdrawal with the above-mentioned disbursing officer. The filing  
18 of notice of withdrawal shall be effective to halt deductions as of  
19 the January 1 or July 1 next succeeding the date on which notice  
20 of withdrawal is filed.

21 *Nothing herein shall preclude a public employer and a duly*  
22 *certified majority representative from entering into a collectively*  
23 *negotiated written agreement which provides that employees*

24 *included in the negotiating unit may only request deduction for the*  
25 *payment of dues to the duly certified majority representative. Such*  
26 *collectively negotiated agreement may include a provision that*  
27 *existing written authorizations for payment of dues to an employee*  
28 *organization other than the duly certified majority representative*  
29 *be terminated. Such collectively negotiated agreement may also*  
30 *include a provision specifying the effective date of a termination*  
31 *in deductions as of the July 1 next succeeding the date on which*  
32 *notice of withdrawal is filed by an employee with the public em-*  
33 *ployer's disbursing officer.*

34 *\*This authorization for negotiation of exclusive dues deduction*  
35 *provisions shall not apply to any negotiating unit which includes*  
36 *employees of any local school district or county college.\**

1     2. This act shall take effect immediately.

REFERENCE USE ONLY

SENATE STATE GOVERNMENT, FEDERAL AND  
INTERSTATE RELATIONS AND VETERANS AFFAIRS

STATEMENT TO  
**ASSEMBLY, No. 2125**

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**STATE OF NEW JERSEY**

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DATED: JUNE 27, 1977

This bill amends Article 14 of Title 52 which provides for the deduction of dues for employee organizations from the payroll of public employees upon the written authorization of such employees. The present language of the statutes permits public employees to designate, in writing, to the proper disbursing officer "a bona fide employee organization" which shall be the recipient of dues deducted from their pay. The law does not explicitly require that the organization so designated actually be the recognized bargaining representative of the employees. It has been the case, that some public employees have assigned their dues to organizations that don't represent them at the bargaining table.

The purpose of this bill is to amend the present language to permit the specific designation, in a collectively negotiated agreement, of the "duly certified majority representative" as the sole recipient of dues deducted from the employees' payroll. Any payment of dues to an employee organization other than the "duly certified majority representative" would be terminated as of the July 1 next succeeding the date on which the notice of withdrawal is filed.

This provision is already included in several contracts negotiated with employee groups by the Office of Employee Relations on behalf of the State of New Jersey. The contract negotiated with the Health, Care and Rehabilitative Services Unit by AFSCME (AFL/CIO) is an example. Article VI, A2. reads in part, "Dues deductions for any employee in this bargaining unit shall be limited to AFSCME." The agreement negotiated by NJCSA and NJSEA for the Professional Unit has similar language.

The bill is supported by the organizations representing public employees and is not opposed by the Governor's negotiators in the Office of Employee Relations.

October 17, 1977

ASSEMBLY BILL NO. 2125

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 2125, with my objection, for reconsideration.

This bill amends current New Jersey law to permit the specific designation, in a collectively negotiated agreement, of the "duly certified majority representative", as the sole recipient of organizational dues deducted automatically from the employee's payroll. Payment of dues by way of the exclusive dues check off machinery to an employee organization other than the "duly certified majority representative" would be terminated as of July 1 next succeeding the date on which an employee's notice of withdrawal was filed.

As passed by the Legislature, the bill may conflict with long established practices in the payment of dues by local school district employees in the education field where dues are often paid directly to organizations other than the majority representative. In order not to upset these practices, I recommend amending the bill to exclude employees of local school districts and county colleges.

In view of the above, I return Assembly Bill No. 2125 for your reconsideration and recommend the following change:

Page 2, Section 1, after line 33: Insert

"This authorization for negotiation of exclusive dues deduction provisions shall not apply to any negotiating unit which includes employees of any local school district or county college."

Respectfully,

/s/ Brendan Byrne

GOVERNOR

[seal]

Attest:

/s/ John J. Degnan

Acting Executive Secretary to the Governor