



State of Tennessee

PUBLIC CHAPTER NO. 178

HOUSE BILL NO. 1605

By Representative White

Substituted for: Senate Bill No. 1031

By Senators Ketron, Johnson

AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 1, Part 2, relative to the right to work.

WHEREAS, the state of Tennessee is a right to work state; and

WHEREAS, Tennessee's Right to Work laws are premised on the belief that employees should be permitted to decide for themselves whether or not to join or financially support a union or employee organization; and

WHEREAS, Maintenance of Membership Clauses (MOM), which prohibit union members from leaving a union or employee organization and choosing not to pay their dues for the life of the collective bargaining agreement, frustrate the purpose of Tennessee's Right to Work laws; and

WHEREAS, MOM clauses can compromise union accountability in the very industries where employees may be most vulnerable; and

WHEREAS, the state has a public interest in protecting an employee's inherent right to choose to forfeit his or her union or employee membership at any time for any reason; and

WHEREAS, MOM clauses pose a direct threat to Tennessee's workforce and the overall business environment of the state.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 50-1-204, is amended by redesignating it as § 50-1-205.

SECTION 2. Tennessee Code Annotated, Title 50, Chapter 1, Part 2, is amended by adding the following new section thereto:

50-1-204. It is unlawful for any person, firm, corporation or association of any kind operating in the state of Tennessee to execute an agreement with a union or employee organization of any kind that includes a maintenance of membership clause prohibiting employees from withdrawing from a union or employee organization prior to the agreement's expiration. This section shall not apply to a city, town, municipality or county, including a county having a metropolitan form of government.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to agreements entered into on or after the effective date of this act.

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PASSED: APRIL 21, 2011



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 5th day of May 2011



BILL HASLAM, GOVERNOR