

INITIATIVE 768

I, Sam Reed, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 768 to the People is a true and correct copy as it was received by this office.

1 AN ACT Relating to prohibiting the denial of employment based on
2 membership or nonmembership in a labor union; adding new sections to
3 chapter 49.36 RCW; and creating a new section.

4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The people of the state of Washington
6 find that, because activities of labor unions affect the economic
7 conditions of the state of Washington by entering into almost all
8 business and industrial enterprises, labor unions affect the public
9 interest and are charged with a public use.

10 (2) Workers must be protected without regard to whether they are
11 unionized. The right to work is the right to live.

12 (3) The policy of this state, in the exercise of its sovereign
13 constitutional police power, is to regulate the activities and affairs
14 of labor unions and officers, agents, organizers, and representatives
15 of labor unions, as provided by this act.

16 NEW SECTION. **Sec. 2.** The definitions in this section apply
17 throughout this act unless the context clearly requires otherwise.

1 (1) "Labor union" means an incorporated or unincorporated
2 association, group, union, lodge, branch, or subordinate organization
3 of a union of working persons organized and existing to protect those
4 persons and to improve their working conditions, wages, or employment
5 relationships, but does not include an organization not commonly
6 regarded as a labor union.

7 (2) "Labor organizer" means a person who for a financial
8 consideration solicits memberships in a labor union or members for a
9 labor union.

10 NEW SECTION. **Sec. 3.** No person shall be denied employment based
11 on membership or nonmembership in a labor union.

12 NEW SECTION. **Sec. 4.** A contract is void if it requires that, to
13 work for an employer, employees or applicants for employment:

- 14 (1) Must be or may not be members of a labor union; or
15 (2) Must remain or may not remain members of a labor union.

16 NEW SECTION. **Sec. 5.** A contract that permits or requires the
17 retention of part of an employee's compensation to pay dues or
18 assessments on the employee's part to a labor union is void unless the
19 employee delivers to the employer the employee's written consent to the
20 retention of those sums.

21 NEW SECTION. **Sec. 6.** This act shall be retroactively applied. If
22 any parts of this act are found to be in conflict with federal law, the
23 United States Constitution, and the Washington State Constitution, this
24 act shall be implemented to the maximum extent that federal law, the
25 United States Constitution, and the Washington State Constitution
26 permit. Any provision held invalid shall be severable from the
27 remaining portions of this act.

28 NEW SECTION. **Sec. 7.** This act may be known and cited as the
29 Washington State Employment Rights Act of 2001.

30 NEW SECTION. **Sec. 8.** Sections 2 through 7 of this act are each
31 added to chapter 49.36 RCW.

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