



# 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



DON RAMSEY  
SPEAKER OF THE SENATE

APPROVED this 5<sup>th</sup> day of May 2011

  
BILL HASLAM, GOVERNOR