

FILED MAR 24 1971  
*Herman's Industrial Rel. 5/25*

SENATE FILE **421**

By ROBINSON, KENNEDY, PALMER,  
MILLER, GLENN, TAPSCOTT,  
HILL, COLEMAN, and  
GAUDINEER  
(Bennett and Ellsworth)

Passed Senate, Date \_\_\_\_\_

Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to membership in labor unions.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section seven hundred thirty-six A point one  
2 (736A.1), Code 1971, is amended as follows:

3 736A.1 RIGHT TO JOIN UNION. It is declared to be the  
4 policy of the state of Iowa that ~~no~~ a person within its  
5 boundaries shall not be deprived or abridged of the right  
6 to work at his chosen occupation for any employer because  
7 of membership in, or affiliation with,~~withdrawal or~~  
8 ~~expulsion from, or refusal to join,~~ any labor union,  
9 organization, or association as a prerequisite of employ-  
10 ment, and any contract which contravenes this policy is  
11 illegal and void.

12 Sec. 2. Section seven hundred thirty-six A point two  
13 (736A.2), Code 1971, is amended by striking the section and  
14 inserting in lieu thereof the following:

15 736A.2 UNION SHOP PERMITTED. It is unlawful for a  
16 person, firm, association, or corporation to require member-  
17 ship in or affiliation with a labor union, organization, or  
18 association as a prerequisite to employment. However, an  
19 employer may enter into an agreement with a labor organization  
20 requiring that after thirty days of employment an employee  
21 must join a labor union.

22 Sec. 3. Section seven hundred thirty-six A point three  
23 (736A.3), Code 1971, is amended as follows:

24 736A.3 CONTRACTS TO EXCLUDE UNLAWFUL. It shall be unlaw-  
25 ful for any person, firm, association, corporation or labor  
26 organization to enter into or negotiate for any understanding,  
27 contract, or agreement, whether written or oral, to exclude  
28 from employment members of a labor union, organization or  
29 association, ~~or persons who do not belong to, or who refuse~~  
30 ~~to join, a labor union, organization or association, or~~  
31 ~~because of resignation or withdrawal therefrom.~~

32 Sec. 4. Section seven hundred thirty-six A point four  
33 (736A.4), Code 1971, is amended as follows:

34 736A.4 UNION DUES AS PREREQUISITE TO EMPLOYMENT--PRO-  
35 HIBITED. It shall be unlawful for any person, firm,

1 association, labor organization or corporation, or political  
2 subdivision, either directly or indirectly, ~~or in any manner~~  
3 ~~or by any means~~ as a prerequisite ~~to or a condition~~ of employ-  
4 ment to require any person to pay dues, charges, fees,  
5 contributions, fines or assessments to any labor union, labor  
6 association or labor organization.

7 Sec. 5. Section seven hundred thirty-six A point seven  
8 (736A.7), Code 1971, is amended as follows:

9 736A.7 INJUNCTION. Additional to the penal provisions  
10 of this chapter, any person, firm, corporation, association,  
11 or any labor union, labor association or labor organization,  
12 or any officer, representative, agent or member thereof may  
13 be restrained by injunction or restraining order from ~~doing~~  
14 ~~or continuing to do any of the matters and things prohibited~~  
15 ~~by violating the provisions of this chapter, and all of the~~  
16 ~~provisions of the law relating to the granting of restraining~~  
17 ~~orders and injunctions, either temporary or permanent, shall~~  
18 ~~be applicable.~~

19 However, a restraining order or injunction cannot be  
20 issued in any labor dispute unless a hearing is held.  
21 Reasonable notice of the hearing must be given to all parties  
22 concerned. If it appears that substantial and irreparable  
23 injury to the complainant's property will be unavoidable, a  
24 temporary restraining order may be issued for a maximum period  
25 of five days. A hearing for a subsequent injunction or  
26 restraining order must be held prior to the expiration of the  
27 temporary restraining order.

28 The provision of rule 326 of the rules of civil procedure  
29 applies to labor disputes not regulated by chapter 736B.

30 Sec. 6. Section seven hundred thirty-six A point eight  
31 (736A.8), Code 1971, is repealed.

32 EXPLANATION

33 This bill amends the right to work law by permitting a  
34 union shop and limits the use of restraining orders issued  
35 without a hearing.