

**Senate File 388 - Introduced**

SENATE FILE 388

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**A BILL FOR**

1 An Act concerning payroll deductions for public employees and  
2 including effective date and applicability provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 20.9, unnumbered paragraph 1, Code 2015,  
2 is amended to read as follows:

3 The public employer and the employee organization shall meet  
4 at reasonable times, including meetings reasonably in advance  
5 of the public employer's budget-making process, to negotiate in  
6 good faith with respect to wages, hours, vacations, insurance,  
7 holidays, leaves of absence, shift differentials, overtime  
8 compensation, supplemental pay, seniority, transfer procedures,  
9 job classifications, health and safety matters, evaluation  
10 procedures, procedures for staff reduction, in-service training  
11 and other matters mutually agreed upon. Negotiations shall  
12 also include terms authorizing ~~dues checkoff for members of the~~  
13 ~~employee organization and~~ grievance procedures for resolving  
14 any questions arising under the agreement, which shall be  
15 embodied in a written agreement and signed by the parties.  
16 ~~If an agreement provides for~~ Negotiations shall not include  
17 terms authorizing dues checkoff, ~~a member's dues may be checked~~  
18 ~~off only upon the member's written request and the member may~~  
19 ~~terminate the dues checkoff at any time by giving thirty days'~~  
20 ~~written notice~~ for members of the employee organization. Such  
21 obligation to negotiate in good faith does not compel either  
22 party to agree to a proposal or make a concession.

23 Sec. 2. Section 20.12, subsection 5, Code 2015, is amended  
24 to read as follows:

25 5. If an employee organization or any of its officers  
26 is held to be in contempt of court for failure to comply  
27 with an injunction pursuant to this section, or is convicted  
28 of violating this section, the employee organization shall  
29 be immediately decertified, shall cease to represent the  
30 bargaining unit, ~~shall cease to receive any dues by checkoff,~~  
31 and may again be certified only after twelve months have  
32 elapsed from the effective date of decertification and only  
33 after a new compliance with section 20.14. The penalties  
34 provided in this section may be suspended or modified by the  
35 court, but only upon request of the public employer and only

1 if the court determines the suspension or modification is in  
2 the public interest.

3 Sec. 3. Section 70A.17A, Code 2015, is amended by striking  
4 the section and inserting in lieu thereof the following:

5 **70A.17A Payroll deduction — limitation.**

6 1. For the purposes of this section, "*public employer*"  
7 means the state, a board of directors of a school district, a  
8 community college, an area education agency, a county board of  
9 supervisors, or a governing body of a city.

10 2. A public employer shall not authorize deductions from the  
11 salaries or wages of its employees unless any of the following  
12 apply:

13 a. The deduction is specifically authorized or required by  
14 law and the deduction complies with the requirements for that  
15 deduction.

16 b. The deduction is to fund savings, insurance, and other  
17 similar benefits permitted by the public employer including but  
18 not limited to federal savings programs, deferred compensation,  
19 and disability, life, health, and retirement benefits, and the  
20 employee has submitted a signed and written authorization for  
21 that deduction.

22 Sec. 4. REPEAL. Section 70A.19, Code 2015, is repealed.

23 Sec. 5. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
24 immediate importance, takes effect upon enactment.

25 Sec. 6. APPLICABILITY. This Act applies to collective  
26 bargaining agreements entered into on or after the effective  
27 date of this Act.

28 **EXPLANATION**

29 The inclusion of this explanation does not constitute agreement with  
30 the explanation's substance by the members of the general assembly.

31 This bill concerns payroll deductions for employees of a  
32 public employer.

33 Code section 20.9, concerning the scope of negotiations in  
34 public sector collective bargaining, is amended to prohibit  
35 negotiations authorizing a dues checkoff for members of the

1 employee organization subject to the negotiations.

2 Code section 70A.17A, concerning payroll deductions for  
3 dues, is stricken and rewritten by the bill. The bill provides  
4 that a payroll deduction from the salary of an employee of  
5 a public employer shall not be permitted unless the payroll  
6 deduction is specifically authorized or required by law, or  
7 the deduction is to fund savings, insurance, and other similar  
8 benefits permitted by the public employer. Current law allows  
9 a payroll deduction from the salary of a state officer or  
10 employee for dues to a professional or trade organization.

11 Code section 70A.19, concerning the duration of state  
12 payroll deduction for dues of employee organization members,  
13 is repealed.

14 The bill takes effect upon enactment and applies to  
15 collective bargaining agreements entered into on or after the  
16 effective date of the bill.