

Fifty-eighth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2392**

Introduced by

Senators Syverson, Nichols

Representatives Amerman, S. Kelsh, Maragos

1 A BILL for an Act to amend and reenact section 34-01-14.1 of the North Dakota Century Code,  
2 relating to union representation expenses of nonunion members.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 34-01-14.1 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **34-01-14.1. Collection of actual representation expenses from nonunion**  
7 **employees.** As used in this section, "actual representation expenses" are only those actual  
8 expenses which are sustained by a labor union or labor organization in processing any  
9 grievance of a nonunion employee. For grievances arising from actions occurring while an  
10 employee was a member of a bargaining unit of a management entity with which a labor union  
11 or labor organization has a contract, but while that employee was not a member of that union or  
12 organization, that labor union or labor organization shall collect actual representation expenses  
13 from that nonunion employee. Actual representation expenses may be assessed only in  
14 instances in which a nonunion employee has specifically requested in writing to use  
15 representation by the labor union or labor organization. A nonunion employee may ~~not~~ be  
16 compelled to pay a prorated share of any expenses incurred by a labor union or labor  
17 organization in the course of general contract negotiations or collective bargaining of a contract  
18 or agreement that would have an effect on that employee. An assessment under this section is  
19 not an abridgement of any rights guaranteed under section 34-01-14. This section does not  
20 abridge or in any way interfere with rights guaranteed employees generally under the Labor  
21 Management Reporting and Disclosure Act of 1959 [29 U.S.C. 401 et seq.].