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ASSEMBLY BILL NO. 182—ASSEMBLYMEN KOIVISTO, COLLINS,  
CHOWNING, CLABORN, PARKS, ANDERSON, ARBERRY,  
ATKINSON, BUCKLEY, CHRISTENSEN, CONKLIN,  
GIUNCHIGLIANI, GOLDWATER, LESLIE, MANENDO,  
MCCLAIN, MCCLEARY, MORTENSON, OCEGUERA,  
OHRENSCHALL, PERKINS, PIERCE AND WILLIAMS

FEBRUARY 21, 2003

Referred to Committee on Commerce and Labor

SUMMARY—Authorizes employer to enter into fair share agreement with labor organization. (BDR 53-1076)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to employment practices; authorizing an employer to enter into an agreement with a labor organization which requires each employee who is not a member of the labor organization recognized by the employer to pay a fee which represents his proportional share of the costs relating to collective bargaining, the administration of contracts and the adjustment of grievances; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1     **Section 1.** Chapter 613 of NRS is hereby amended by adding  
2     thereto the provisions set forth as sections 2 to 8, inclusive, of this  
3     act.  
4     **Sec. 2.** *As used in sections 2 to 8, inclusive, of this act, unless*  
5     *the context otherwise requires, the words and terms defined in*  
6     *sections 3 to 6, inclusive, of this act have the meanings ascribed to*  
7     *them in those sections.*  
8     **Sec. 3.** *“Employer” means:*



1     **1. The State of Nevada and any local government employer,**  
2     **as defined in NRS 288.060, without regard to the number of**  
3     **persons employed.**

4     **2. Any person, including, without limitation, a public service**  
5     **corporation, who has in service a person under a contract of hire.**

6     **Sec. 4. "Fair share agreement" means an agreement entered**  
7     **into by an employer and a labor organization recognized by the**  
8     **employer which requires each employee in a bargaining unit who**  
9     **is not a member of that labor organization to pay a service fee to**  
10    **the labor organization as a condition of employment.**

11    **Sec. 5. "Labor organization" has the meaning ascribed to it**  
12    **in NRS 613.230. The term includes an employee organization as**  
13    **defined in NRS 288.040.**

14    **Sec. 6. "Service fee" means the amount of money paid by an**  
15    **employee who is not a member of a labor organization recognized**  
16    **by his employer, which represents the employee's proportional**  
17    **share of the cost incurred by the labor organization for collective**  
18    **bargaining, the administration of contracts and the adjustment of**  
19    **grievances.**

20    **Sec. 7. An employer may enter into a fair share agreement**  
21    **with each labor organization the employer recognizes. If the**  
22    **employer enters into such an agreement, each employee in a**  
23    **bargaining unit who is not a member of the labor organization**  
24    **shall pay to the labor organization the service fee required by the**  
25    **agreement.**

26    **Sec. 8. A service fee may not:**  
27    **1. Exceed the amount of dues, if any, that are required for**  
28    **membership in a labor organization.**

29    **2. Include any fees for contributions relating to the election**  
30    **or support of a candidate for public office or the passage or defeat**  
31    **of a question or group of questions on a ballot.**

32    **Sec. 9. NRS 613.250 is hereby amended to read as follows:**

33    613.250 ~~No person shall~~

34    **1. A person may not** be denied the opportunity to obtain or  
35    retain employment because of nonmembership in a labor  
36    organization, nor shall the State, or any subdivision thereof or any  
37    corporation, ~~individual~~ **natural person** or association of any kind  
38    enter into any agreement, written or oral, which excludes any person  
39    from employment or continuation of employment because of  
40    nonmembership in a labor organization.

41    **2. The provisions of this section do not prohibit an employer**  
42    **from entering into a fair share agreement with a labor**  
43    **organization pursuant to sections 2 to 8, inclusive, of this act.**

