

112TH CONGRESS
1ST SESSION

H. R. 2145

To amend title 5, United States Code, to provide that agencies may not deduct labor organization dues from the pay of Federal employees, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2011

Mr. SCOTT of South Carolina (for himself, Mr. DUNCAN of South Carolina, Mr. BROWN of Georgia, Mr. CULBERSON, Mrs. LUMMIS, Mr. LAMBORN, Mr. OLSON, Mr. FRANKS of Arizona, Mr. PEARCE, Mr. KING of Iowa, Mr. MCHENRY, Mr. PAUL, Mr. NEUGEBAUER, Mr. ROSS of Florida, Mr. FARENTHOLD, Mr. AUSTIN SCOTT of Georgia, and Mrs. ELLMERS) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To amend title 5, United States Code, to provide that agencies may not deduct labor organization dues from the pay of Federal employees, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. LABOR ORGANIZATION DUES NOT DEDUCTIBLE**
4 **FROM PAY.**

5 (a) IN GENERAL.—Chapter 71 of title 5, United
6 States Code, is amended by striking section 7115 and in-
7 serting the following:

1 **“§ 7115. Labor organization dues not deductible from**
2 **pay**

3 “(a) IN GENERAL.—An agency may not deduct any
4 amount from the pay of an employee for the dues of a
5 labor organization.

6 “(b) RESTRICTION.—Appropriated funds may not be
7 used to pay an employee who makes deductions described
8 in subsection (a).

9 “(c) DEFINITION.—For purposes of this section, the
10 term ‘agency’ means—

11 “(1) an Executive agency (as defined in section
12 105), the United States Postal Service, and the
13 Postal Regulatory Commission;

14 “(2) an office, agency, or other establishment in
15 the legislative branch;

16 “(3) an office, agency, or other establishment in
17 the judicial branch; and

18 “(4) the government of the District of Colum-
19 bia.”.

20 (b) POSTAL SERVICE AMENDMENT.—Section 1205 of
21 title 39, United States Code, is repealed.

22 (c) CLERICAL AMENDMENT.—The table of sections
23 at the beginning of chapter 71 of title 5, United States
24 Code, is amended by striking the item relating to section
25 7115 and inserting the following:

“7115. Labor organization dues not deductible from pay.”.

1 **SEC. 2. EFFECTIVE DATES; TRANSITION PROVISIONS.**

2 (a) EFFECTIVE DATE.—The amendments made by
3 this Act shall take effect on the date of enactment of this
4 Act.

5 (b) TRANSITION PROVISIONS.—

6 (1) CURRENT DEDUCTIONS FOR DUES OF AN
7 EXCLUSIVE REPRESENTATIVE.—Nothing in this Act
8 shall, in the case of an assignment received before
9 the date of enactment of this Act under subsection
10 (a) of section 7115 of title 5, United States Code (as
11 then in effect), cause the termination of such assign-
12 ment before—

13 (A) the date on which such assignment is
14 revoked, in accordance with the last sentence of
15 such subsection (a) (as last in effect before
16 such date of enactment); or

17 (B) if earlier, the date determined under
18 paragraph (1) or (2) of subsection (b) of such
19 section 7115 (as last in effect before such date
20 of enactment).

21 (2) CURRENT DEDUCTIONS FOR DUES OF
22 OTHER LABOR ORGANIZATIONS.—Nothing in this
23 Act shall, in the case of a voluntary allotment made
24 before the date of enactment of this Act under sub-
25 section (c) of section 7115 of title 5, United States
26 Code (as then in effect), cause the termination of

1 such allotment before the date on which the under-
2 lying agreement (under authority of which such al-
3 lotment is being made) ceases to have effect, wheth-
4 er by reason of section 7115(c)(2)(B) of such title
5 5 (as last in effect before such date of enactment)
6 or otherwise.

7 (3) CURRENT DEDUCTIONS FOR DUES OF A
8 LABOR ORGANIZATION FROM POSTAL SERVICE EM-
9 PLOYEES.—Nothing in this Act shall, in the case of
10 a written assignment received before the date of en-
11 actment of this Act under section 1205 of title 39,
12 United States Code (as then in effect), cause the
13 termination of such assignment before the date on
14 which such assignment—

15 (A) is revoked in accordance with such sec-
16 tion (as last in effect before such date of enact-
17 ment); or

18 (B) otherwise expires.

19 (c) NONRENEWABILITY.—

20 (1) IN GENERAL.—An agreement between an
21 agency and a labor organization, entered into before
22 the date of enactment of this Act under subsection
23 (a) or (c) of section 7115 of such title 5 (as then
24 in effect), shall not, to the extent that it relates to

1 deductions for the payment of dues of such labor or-
2 ganization, be subject to renewal or extension.

3 (2) POSTAL SERVICE.—A written assignment
4 received by the United States Postal Service under
5 section 1205 of title 39, United States Code (as then
6 in effect) or an agreement between the United
7 States Postal Service and any organization of em-
8 ployees in effect pursuant to 1205(b) of such title
9 (as then in effect), shall not, to the extent that it
10 relates to deductions for the payment of dues of
11 such organization, be subject to renewal or exten-
12 sion.

13 (d) DEFINITIONS.—For purposes of this section, the
14 terms “agency”, “exclusive representative”, and “labor or-
15 ganization” have the respective meanings given such terms
16 in section 7103 of title 5, United States Code.

○