

Original Text #38

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Be It Enacted by the People of the State of Colorado:

JUL 12 2007
ELECTIONS / LICENSING
SECRETARY OF STATE

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SECTION 1. Article XVIII of the Colorado Constitution is amended BY THE ADDITION OF A NEW SECTION to read:

Section 16. Right to Work. (1) THIS AMENDMENT SHALL BE KNOWN AND MAY BE CITED AS THE "COLORADO RIGHT TO WORK AMENDMENT".

(2) NO PERSON SHALL BE REQUIRED, AS A CONDITION OF EMPLOYMENT OR CONTINUATION OF EMPLOYMENT, TO:

(a) RESIGN OR REFRAIN FROM VOLUNTARY AFFILIATION WITH OR VOLUNTARY FINANCIAL SUPPORT OF A LABOR ORGANIZATION;

(b) BECOME OR REMAIN A MEMBER OF A LABOR ORGANIZATION;

(c) PAY ANY DUES, FEES, ASSESSMENTS, OR OTHER CHARGES OF ANY KIND OR AMOUNT TO A LABOR ORGANIZATION; OR

(d) PAY TO ANY CHARITY OR OTHER THIRD PARTY, IN LIEU OF SUCH PAYMENTS, ANY AMOUNT EQUIVALENT TO OR PRO RATA PORTION OF DUES, FEES, ASSESSMENTS, OR OTHER CHARGES REGULARLY REQUIRED OF MEMBERS OF A LABOR ORGANIZATION.

(3) IT SHALL BE UNLAWFUL TO DEDUCT FROM THE WAGES, EARNINGS, OR COMPENSATION OF AN EMPLOYEE ANY UNION DUES, FEES, ASSESSMENTS, OR OTHER CHARGES TO BE HELD FOR, TRANSFERRED TO, OR PAID OVER TO A LABOR ORGANIZATION UNLESS THE EMPLOYEE HAS FIRST AUTHORIZED SUCH DEDUCTION.

(4) THE PROVISIONS OF THIS SECTION SHALL APPLY TO ALL EMPLOYMENT CONTRACTS ENTERED INTO AFTER THE EFFECTIVE DATE OF THIS SECTION AND SHALL APPLY TO ANY RENEWAL OR EXTENSION OF ANY EXISTING CONTRACT.

(5) ANY PERSON WHO DIRECTLY OR INDIRECTLY VIOLATES ANY PROVISION OF THIS SECTION COMMITS A MISDEMEANOR AND UPON CONVICTION THEREOF SHALL BE PUNISHED BY A FINE OF NOT MORE THAN FIVE HUNDRED DOLLARS.

(6) AS USED IN THIS SECTION, "LABOR ORGANIZATION" MEANS ANY ORGANIZATION OF ANY KIND, OR AGENCY OR EMPLOYEE REPRESENTATION COMMITTEE OR UNION, THAT EXISTS FOR THE PURPOSE, IN WHOLE OR IN PART, OF DEALING WITH EMPLOYERS CONCERNING WAGES, RATES OF PAY, HOURS OF WORK, OTHER CONDITIONS OF EMPLOYMENT, OR OTHER FORMS OF COMPENSATION.

SECTION 2. Effective date. This amendment shall take effect upon proclamation of the vote by the governor.

