

113TH CONGRESS
2D SESSION

S. 2436

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 SENATE OF THE UNITED STATES

JUNE 5, 2014

Mr. SCOTT introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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. SHORT TITLE.**

4 This Act may be cited as the “Empower Employees
5 Act of 2014”.

6 **SEC. 2. LABOR ORGANIZATION DUES NOT DEDUCTIBLE**
7 **FROM PAY.**

8 (a) AGENCIES GENERALLY.—

1 (1) IN GENERAL.—Chapter 71 of title 5, United
 2 States Code, is amended by striking section 7115
 3 and inserting the following:

4 **“§ 7115. Labor organization dues not deductible from**
 5 **pay**

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

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

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

14 “(1) an Executive agency (as defined in section
 15 105), the United States Postal Service, and the
 16 Postal Regulatory Commission;

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

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

21 “(4) the government of the District of Colum-
 22 bia.”.

23 (2) CLERICAL AMENDMENT.—The table of sec-
 24 tions for chapter 71 of title 5, United States Code,

1 is amended by striking the item relating to section
 2 7115 and inserting the following:

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

3 (b) POSTAL SERVICE AMENDMENT.—

4 (1) IN GENERAL.—Section 1205 of title 39,
 5 United States Code, is repealed.

6 (2) CLERICAL AMENDMENT.—The table of sec-
 7 tions for chapter 12 of title 39, United States Code,
 8 is amended by striking the item relating to section
 9 1205.

10 **SEC. 3. EFFECTIVE DATES; TRANSITION PROVISIONS.**

11 (a) EFFECTIVE DATE.—The amendments made by
 12 this Act shall take effect on the date of enactment of this
 13 Act.

14 (b) TRANSITION PROVISIONS.—

15 (1) CURRENT DEDUCTIONS FOR DUES OF AN
 16 EXCLUSIVE REPRESENTATIVE.—Nothing in this Act
 17 shall, in the case of an assignment received before
 18 the date of enactment of this Act under subsection
 19 (a) of section 7115 of title 5, United States Code (as
 20 then in effect), cause the termination of such assign-
 21 ment before—

22 (A) the date on which such assignment is
 23 revoked, in accordance with the last sentence of
 24 such subsection (a) (as last in effect before
 25 such date of enactment); or

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

5 (2) CURRENT DEDUCTIONS FOR DUES OF
6 OTHER LABOR ORGANIZATIONS.—Nothing in this
7 Act shall, in the case of a voluntary allotment made
8 before the date of enactment of this Act under sub-
9 section (c) of section 7115 of title 5, United States
10 Code (as then in effect), cause the termination of
11 such allotment before the date on which the under-
12 lying agreement (under authority of which such al-
13 lotment is being made) ceases to have effect, wheth-
14 er by reason of section 7115(c)(2)(B) of such title
15 5 (as last in effect before such date of enactment)
16 or otherwise.

17 (3) CURRENT DEDUCTIONS FOR DUES OF A
18 LABOR ORGANIZATION FROM POSTAL SERVICE EM-
19 PLOYEES.—Nothing in this Act shall, in the case of
20 a written assignment received before the date of en-
21 actment of this Act under section 1205 of title 39,
22 United States Code (as then in effect), cause the
23 termination of such assignment before the date on
24 which such assignment—

1 (A) is revoked in accordance with such sec-
2 tion (as last in effect before such date of enact-
3 ment); or

4 (B) otherwise expires.

5 (c) NONRENEWABILITY.—

6 (1) IN GENERAL.—An agreement between an
7 agency and a labor organization, entered into before
8 the date of enactment of this Act under subsection
9 (a) or (c) of section 7115 of such title 5 (as then
10 in effect), shall not, to the extent that it relates to
11 deductions for the payment of dues of such labor or-
12 ganization, be subject to renewal or extension.

13 (2) POSTAL SERVICE.—A written assignment
14 received by the United States Postal Service under
15 section 1205 of title 39, United States Code (as then
16 in effect) or an agreement between the United
17 States Postal Service and any organization of em-
18 ployees in effect pursuant to 1205(b) of such title
19 (as then in effect), shall not, to the extent that it
20 relates to deductions for the payment of dues of
21 such organization, be subject to renewal or exten-
22 sion.

23 (d) DEFINITIONS.—For purposes of this section, the
24 terms “agency”, “exclusive representative”, and “labor or-

- 1 ganization” have the meanings given such terms in section
- 2 7103 of title 5, United States Code.

