**PUBLIC SECTOR UNION RELEASE TIME**

A. IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

1.  “EMPLOYMENT CONTRACT” MEANS ANY FORMAL OR INFORMAL EMPLOYMENT CONTRACT, AGREEMENT OR MEMORANDUM REGARDING THE WAGES, BENEFITS AND TERMS AND CONDITIONS OF EMPLOYMENT OF ANY PUBLIC EMPLOYEE OR GROUP OF PUBLIC EMPLOYEES.

2.  “PUBLIC EMPLOYEE” MEANS ANY INDIVIDUAL WHO IS EMPLOYED BY A PUBLIC EMPLOYER.

3.  “PUBLIC EMPLOYER” MEANS THIS STATE OR ANY BRANCH, DEPARTMENT, DIVISION, AGENCY, AUTHORITY OR CITY, TOWN, OR OTHER POLITICAL SUBDIVISION OF THIS STATE.

4.  “UNION” MEANS ANY ASSOCIATION OR ORGANIZATION, INCORPORATED OR UNINCORPORATED, THAT IS AUTHORIZED TO REPRESENT AND BARGAIN FOR THE INTERESTS OF PUBLIC EMPLOYEES.

5.  “DESIGNATED UNION ACTIVITIES" MEANS:

(a) ALL POLITICAL ACTIVITIES THAT INVOLVE ADVOCATING FOR THE ELECTION OR DEFEAT OF ANY POLITICAL CANDIDATE.

(b) LOBBYING OR ATTEMPTING TO INFLUENCE THE PASSAGE OR DEFEAT OF FEDERAL OR STATE LEGISLATION, LOCAL ORDINANCES, OR ANY BALLOT MEASURE.

(c)  NEGOTIATING OR BARGAINING OVER WAGES, BENEFITS, AND TERMS AND CONDITIONS OF EMPLOYMENT.

(d)  RECRUITING OR SOLICITING MEMBERS OR POTENTIAL MEMBERS in any fashion.

(e) FILING grievances against A PUBLIC employer OR representing a public employee in any grievance proceeding.

(f) ANY OTHER UNION ACTIVITIES THAT PRIMARILY BENEFITS THE PRIVATE INTERESTS OF THE UNION AND ITS MEMBERSHIP. THIS SUBSECTION DOES NOT INCLUDE ANY ACTIVITY THAT ONLY INCIDENTALLY BENEFITS THE PRIVATE INTERESTS OF THE UNION.

B. A PUBLIC EMPLOYER SHALL NOT EXPEND ANY PUBLIC FUNDS, including payment for any public employee benefit, FOR THE PERFORMANCE OF DESIGNATED UNION ACTIVITIES.  A PUBLIC EMPLOYER MAY NOT ENTER INTO ANY EMPLOYMENT CONTRACT WITH ANY PUBLIC EMPLOYEE OR UNION nor enact any policy or engage in any practice THAT PROVIDES COMPENSATION, INCLUDING PAID LEAVE, FOR THE PERFORMANCE OF DESIGNATED UNION ACTIVITIES.  ANY EMPLOYMENT CONTRACT, policy, or practice THAT AUTHORIZES OR PROVIDES COMPENSATION TO PUBLIC EMPLOYEES FOR DESIGNATED UNION ACTIVITIES IS DECLARED TO BE AGAINST THE PUBLIC POLICY OF THIS STATE AND IS VOID.

C. THIS SECTION DOES NOT:

1. APPLY TO ANY EXISTING EMPLOYMENT CONTRACT IN EFFECT BEFORE THE EFFECTIVE DATE OF THIS SECTION, BUT AN EXISTING CONTRACT MAY NOT BE RENEWED OR EXTENDED IF THE CONTRACT INCLUDES TERMS THAT CONFLICT WITH THIS SECTION.

2. prohibit any public employee or union from engaging or performing any of the union activities that are defined in this section.

D. THE ATTORNEY GENERAL OR THE COUNTY ATTORNEY IN THE COUNTY WHERE DESIGNATED UNION ACTIVITIES ARE PERFORMED SHALL ENFORCE THIS SECTION.  ANY TAXPAYER OF THE JURISDICTION IN WHICH A VIOLATION OF THIS SECTION OCCURS HAS STANDING TO BRING AN ACTION AGAINST ANY PUBLIC EMPLOYER FOR ANY VIOLATION OF THIS SECTION. IF A COURT FINDS THAT A PUBLIC EMPLOYER HAS VIOLATED THIS SECTION, THE COURT SHALL AWARD REASONABLE ATTORNEY FEES AND COSTS TO THE PARTY WHO BROUGHT THE ACTION.

E. THE PROHIBITION AGAINST PRIVATE USES OF PUBLIC FUNDS IS A MATTER OF STATEWIDE CONCERN AND IS NECESSARY TO ENFORCE THE CONSTITUTIONAL AND LAWS OF THIS STATE.  THE PROHIBITION AGAINST PRIVATE USES OF PUBLIC MONIES IS NOT SUBJECT TO INCONSISTENT REGULATION BY ANY PUBLIC EMPLOYER.  THIS ARTICLE PREEMPTS ALL INCONSISTENT RULES, REGULATIONS, CODES, ORDINANCES, POLICIES OR OTHER LAWS ADOPTED BY ANY PUBLIC EMPLOYER.