



*Colorado Legislative Council Staff Fiscal Note*

**NO FISCAL IMPACT**

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**Drafting Number:** LLS 07-0394**Date:** January 10, 2007**Prime Sponsor(s):** Rep. Garcia**Bill Status:** House Business Affairs & Labor**Fiscal Analyst:** Gary J. Estenson (303-866-4976)

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**TITLE:** CONCERNING THE ELIMINATION OF THE REQUIREMENTS FOR A VOTE RATIFYING AN ALL-UNION AGREEMENT.

**Summary of Assessment**

This bill repeals the requirement that employees in a workplace with a union must vote to ratify an all-union agreement. Under current law, a majority of members or three-quarters of those voting must vote in favor of the agreement. To conform with this change, all-union agreements entered into without a vote will no longer be considered an unfair labor practice. Unless a referendum petition is filed, the bill will take effect August 8, 2007, assuming the General Assembly adjourns on May 9, 2007, as scheduled. It applies to all-union agreements entered into on and after that date.

Only about 6 to 8 all-union elections are conducted annually. While the Division of Labor, Department of Labor and Employment (DOLE) has staff that administer all-union agreements, this is only a small portion of their duties. Therefore, the reduction in workload will be minimal and will not decrease DOLE personnel.

Under current law, an employee who objects to an all-union agreement and who has paid union dues may file a civil cause of action in district court. This bill removes this type of civil cause of action. However, an employee may seek an administrative remedy from the director of the Division of Labor challenging the validity of the vote choosing union leadership, in an attempt to void agreements entered into by union leadership. If the employee does not prevail, he or she may ask for judicial review in district court. Thus, the decrease in civil causes of action filed in district court and the potential increase in appeals of Division of Labor administrative decisions filed in district court are anticipated to offset one another. As such, the bill is assessed as having no fiscal impact.

**Departments Contacted**

Labor and Employment

Personnel and Administration

Judicial