

House Business, Labor and Commerce Committee

January 23, 2025

Bill: 1st substitute HB 267 – Public Sector Labor Union Amendments

Sponsor: Representative Jordan D. Teuscher

Floor Sponsor: Senator Kirk A. Cullimore

UASD Position: TBD

This Bill amends provisions governing public employee, public safety, and public fire labor organizations.

Discussion: The sponsor, Representative Teuscher, presented the Bill by explaining that he believes it solves a problem where workers feel as though they aren't being heard by employers from the public sector. Representative Teuscher discussed that in order to solve this problem the Bill does four different things. The first thing this Bill does is that it prohibits public sector collective bargaining. He was clear that it does not affect any employee that wishes to identify or participate with a union, and that it does not prohibit a union from meeting with public employers, it simply makes it more difficult for the union to coordinate with members and the employer. The sponsor said that the second thing the Bill does is safeguard public resources. It prohibits release time for union work, and it states that public property can be used by unions as long as it is open to be used by any member of the public as well. This Bill also deals impacts the Utah Retirement System by prohibiting labor union staff, who are not public employees but who represent public employees, from receiving retirement benefits through the URS. The third part of the Bill handles transparency by requiring a public sector labor union to be "open" about how they are spending union member's dues. The final thing this Bill does is provide liability insurance that some public employees, mainly teachers, may opt into if they choose to do so.

Representative Burton asked if there were any aspects of this Bill that would change how those who advocate for teachers would be treated. Representative Teuscher said that this Bill would not impact the current process of how advocates may communicate with teachers and other public school employees. Representative Nguyen asked the purpose of requiring public labor unions to report their activities to the Labor Commission when the activities are already open to the members and are frequently audited. The sponsor replied that this section of the Bill only applies when the union is having the public employer collect the member dues from the employee's paycheck. Many representatives had clarifying questions regarding the implications of this Bill, specifically regarding the transparency requirements. Representative Ivory and Representative Roberts were particularly curious about the impact that could be felt by teachers with the elimination of collective bargaining and the impact it could have on employee wages and benefits. Representative Teuscher attempted to calm any concerns by arguing that this Bill would not directly impact teacher wages.

Jack Tidrow, President of the Professional Firefighters of Utah, spoke in opposition of the Bill due to the lack of collective bargaining allowed within the Bill. Although most fire districts throughout the state don't utilize collective bargaining agreements, Tidrow believes that the fact that Salt Lake City Fire does and the existence of it helps foster good meet-and-confer arrangements throughout the state. The Utah Education Association ("UEA") spoke in opposition of the Bill. The UEA representatives believe that the intent of the Bill is to diminish the powers of the UEA. They worry that the harm of the Bill would be felt by public school educators and their ability to collaborate with their employer or other teachers using collective bargaining would decrease employee morale and create an even greater teacher shortage. The National Right to Work Committee spoke in favor of the Bill. The Utah Public Employee Association spoke in opposition of the Bill. The Utah Taxpayers Association spoke in favor of this Bill. The Utah School Employees Association spoke in opposition of the Bill. Zach Jepson, the union president for the Salt Lake City Fire Department, spoke in opposition of the language that would exclude new labor organization employees from participating in Utah Retirement System pension programs. Several other public organizations and members of the public spoke in support of the Bill. Most of the hundreds of people in attendance were opposed to the passing of this Bill. Representative Thurston spoke in favor of the potential for this Bill, though he thought there should be further conversation on the Bill before it passes entirely. The first substitute was adopted by the Committee.

Yeas: 11

Nays: 4

N/V: 1

Outcome: 1st substitute HB 267 passed out of committee with a favorable recommendation.

Bill: 1st substitute HB 269 – Privacy Protections in Sex-Designated Areas

Sponsor: Representative Stephanie Gricius

Floor Sponsor: Senator Brady Brammer

UASD Position: TBD

This Bill modifies provisions regarding sex-designated privacy spaces in education and government facilities.

Discussion: The sponsor, Representative Stephanie Gricius, presented the Bill. This Bill requires that students who choose to live in gender specific on campus housing must be assigned to housing according to their biological sex noted at birth. The sponsor noted that the Bill allows transgender students to live in gender neutral on campus housing if they request it. According to the sponsor, this Bill also clarifies terms, requires guidance on student housing for degree-

granting institutions, and updates nonprofit exceptions under the Utah Fair Housing Act. Additionally, the sponsor noted that it narrows gender distinction rules in sports, removes unclear medical documentation requirements for gender specific spaces, specifies government facility compliance responsibilities, and mandates gender-based housing assignments. The sponsor added that the substitute language adds more clarity and removes a provision initially added from SB 257 from last year that would have allowed for some exceptions to the complete ban of transgender students living in an all male or all female designated on campus residence. The Committee members asked a series of clarifying questions. The entire conversation was based exclusively around public higher education student housing. Many members of the public spoke in opposition and in support of the Bill. All of the comments were directed towards public higher education student housing arrangements. The first substitute of the Bill was adopted by the Committee.

Yeas: 13

Nays: 2

N/V: 1

Outcome: 1st substitute HB 269 passed out of the Committee with a favorable recommendation.