



**ALEC**  
**EXPOSED**  
A project of CMD

<b>New Mexico <a href="#">HB 75 (2015)</a></b>	<b>ALEC <a href="#">Right to Work Act</a></b>
B. " <b>labor organization</b> " means a union, organization, agency or employee representation committee that exists for the purpose, in whole or in part, of dealing with employers concerning wages, rates of pay, hours of work or other conditions of employment.	Section 3. { <b>Labor organization.</b> } The term "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 4. [NEW MATERIAL] <b>MANDATORY MEMBERSHIP AND FEES PROHIBITED.</b> --A person shall not be required, as a condition of hiring, promotion or continued employment, to:	Section 4. { <b>Freedom of choice guaranteed, discrimination prohibited.</b> } No person shall be required, as a condition of employment or continuation of employment:
A. become or remain a member of a labor organization; or	(B) to become or remain a member of a labor organization;
B. pay dues, fees, assessments or other charges to a labor organization or to a charity or other third party, in lieu of payment to a labor organization	(C) to pay any dues, fees, assessments, or other charges of any kind or amount to a labor organization; (D) to pay to any charity or other third party, in lieu of such payments, any amount equivalent to or a pro-rata portion of dues, fees, assessments, or other charges regularly required of members of a labor organization;
SECTION 5. [NEW MATERIAL] <b>ORGANIZATION APPROVAL PROHIBITED.</b> --An employer shall not require a person to be recommended or approved by or to be cleared through a labor organization as a condition of hiring, promotion or continued employment.	(E) to be recommended, approved, referred, or cleared by or through a labor organization.
SECTION 6. [NEW MATERIAL] <b>CERTAIN AGREEMENTS ILLEGAL.</b> --An agreement, understanding or practice, written or oral, implied or expressed, between an employer and a labor organization that is in violation of the Employee Preference Act is unlawful.	Section 6. { <b>Agreements in violation, and actions to induce such agreements, declared illegal.</b> } Any agreement, understanding, or practice, written or oral, implied or expressed, between any labor organization and employer that violates the rights of employees as guaranteed by provisions of this chapter is hereby declared to be unlawful, null and void, and of no legal effect . . .
SECTION 7. [NEW MATERIAL] <b>INVESTIGATION.</b> --The attorney general and district attorneys shall investigate complaints of violations of the Employee Preference Act and shall prosecute a person suspected of violating that act.	Section 10. { <b>Duty to investigate.</b> } It shall be the duty of the prosecuting attorneys of each county (or the attorney general of this state) to investigate complaints of violation or threatened violations of this chapter and to prosecute all persons violating any of its provisions, and to take all means at their command to ensure its effective enforcement.
SECTION 9. [NEW MATERIAL] <b>PENALTY.</b> --A person who violates a provision of the Employee Preference Act is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment	Section 8. { <b>Penalties.</b> } Any person who directly or indirectly violates any provision of this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine not exceeding (insert amount) or imprisonment for a period of

for a definite term not to exceed ninety days or both.	not more than (insert time period), or both such fine and imprisonment.

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