

Amendment No. 1 to SB1745

**Ketron
Signature of Sponsor**

AMEND Senate Bill No. 1745

House Bill No. 1747*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 1, is amended by adding the following new part thereto:

§ 50-1-701.

(a) All employees and employers in this state, when seeking to designate an exclusive bargaining representative through an election permitted by state or federal law, have the right to make such designation by secret ballot, when secret ballot is permitted by such law; under such circumstances, no alternative means of designation shall be used in this state as convincing evidence of employee majority support.

(b) Any agreement, understanding, or practice, written or oral, implied or expressed, between any labor organization and an employer that violates the rights of employees as guaranteed by this section shall be null and void.

(c) This section shall not apply to employee representation agreements:

(1) Entered into prior to July 1, 2011; or

(2) Involving both employees within and without of this state when the employer conducted business within this state prior to July 1, 2011.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect July 1, 2011, the public welfare requiring it.