**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 3401**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Cobb‑Hunter

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Introduced in the House on January 8, 2019

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Freedom of Employment Contract Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/18/2018 House Prefiled

12/18/2018 House Referred to Committee on **Labor, Commerce and Industry**

1/8/2019 House Introduced and read first time ([House Journal‑page 225](file:///h:\hj\20190108.docx))

1/8/2019 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 225](file:///h:\hj\20190108.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3401&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/18/2018](file:///p:\pprever\2019-20\3401_20181218.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “FREEDOM OF EMPLOYMENT CONTRACT ACT” BY REPEALING CHAPTER 7, TITLE 41 RELATING TO THE RIGHT TO WORK.

Whereas, the South Carolina General Assembly finds so‑called “Right‑to‑Work” laws deprive employers and unions of their right to require all members of a workforce to share in the costs as well as the benefits of collective bargaining and representation; and

Whereas, the South Carolina General Assembly finds deprivation of this right tends to create workplace tensions between dues‑paying workers and free‑riders who receive union representation without cost; and

Whereas, the South Carolina General Assembly finds that so‑called “Right‑to‑Work” laws are fundamentally unfair because unions are required to equally represent those who share in the costs of representation and those free‑riders who do not, and also are unfair to dues‑paying members whose dues provide financial support for services to free‑riders; and

Whereas, the South Carolina General Assembly finds “Right‑to‑Work” laws are aimed at harming unions by depriving them of revenue and by creating the potential for discrimination against union members by employers attempting to rid themselves of unions; and

Whereas, the South Carolina General Assembly finds that things which are harmful to unions also are harmful to workers, which in this case means wages are set without the collective power of organized workers, leading to stagnation of wages and the lack of benefits such as health insurance and defined benefit pensions, and if this results in fewer union workplaces, it decreases the number of workers who are guaranteed freedom from arbitrary actions by their employer; and

Whereas, the South Carolina General Assembly finds that what harms unions harms the economy, depriving it of the percolating upward forcing of higher workers’ wages and the accompanying rises in consumer confidence that can drive the economy upward. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act must be known and may be cited as the “Freedom of Employment Contract Act”.

SECTION 2. Chapter 7, Title 41 of the 1976 Code is repealed.

SECTION 3. This act takes effect upon approval by the Governor.

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