

Issued to: _____
(name of circulator)

County: _____

INITIATIVE PETITION

Amendment to the Constitution

Proposed by Initiative Petition

To be submitted directly to the electors

Amendment

Title: To guarantee the freedom of Ohioans to choose whether to participate in a labor organization as a condition of employment

SUMMARY

To add Section 22 to Article I of the Constitution of the State of Ohio

The proposed amendment would provide that, in Ohio:

1. No law, rule, agreement, or arrangement shall require any person or employer to become or remain a member of a labor organization.
2. No law, rule, agreement, or arrangement shall require, directly or indirectly, as a condition of employment, any person or employer, to pay or transfer any dues, fees, assessments, other charges of any kind, or anything else of value, to a labor organization, or third party in lieu of the labor organization.

The proposed law would not:

1. Prevent any person from voluntarily belonging to or providing support to a labor organization.
2. Apply to agreements entered into or renewed prior to the enactment of this section.

CERTIFICATION OF THE ATTORNEY GENERAL

This certification of the Attorney General, pursuant to Ohio Revised Code Section 3519.01(A), will be inserted when it is provided. This initial petition must be submitted with at least one thousand (1,000) valid signatures of Ohio electors before the Attorney General will issue that certification.

COMMITTEE TO REPRESENT THE PETITIONERS

The following people are designated as the committee to represent the petitioners in all matters relating to the petition or its circulation:

Christopher Littleton
7396 Wethersfield Dr.
West Chester, Ohio 45069

Bryan Williams
2834 Orchard Grove Court
Akron, Ohio 44333

Jim Lewis
6969 Forestview Court
West Chester, Ohio 45069

Robert Scott
2821 Comanche Drive
Kettering, Ohio 45420

Lisa Cooper
10510 Hintonmill Road
Marysville, Ohio 43040

NOTICE

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

(Sign with ink. Your name, residence, and date of signing must be given.)

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FULL TEXT OF AMENDMENT

Be it resolved by the people of the State of Ohio that Article I, Section 22 of the Ohio Constitution be adopted and read as follows:

ARTICLE I

Freedom to choose whether to participate in a labor organization as a condition of employment

Section 22 (A) No law, rule, agreement, or arrangement, shall require, directly or indirectly, any person or employer to become or remain a member of a labor organization.

Section 22 (B) No law, rule, agreement, or arrangement shall require, directly or indirectly, as a condition of employment, any person or employer to pay or transfer any dues, fees, assessments, other charges of any kind, or anything else of value, to a labor organization, or third party in lieu of the labor organization.

Section 22 (C) Nothing in this section shall (1) prevent any person from voluntarily belonging to or voluntarily providing support to a labor organization; or (2) apply to agreements entered into or renewed prior to the enactment of this section.

Section 22(D) No other provision of the Ohio Constitution shall impair or limit the rights contained herein.

Section 22(E) This section shall be implemented to the maximum extent that the United States Constitution and federal law permit. Any invalid or inoperative provisions shall first be construed as not conflicting with federal law, and then, only if necessary, severed from remaining portions of the section, which shall remain in effect.

Section 22(F) Any person, directly or indirectly affected or threatened with any harm by a violation of this section, may bring a civil or equitable action to enforce this section, and upon prevailing shall be entitled to injunctive relief, reasonable attorney fees, costs, and other damages.

Section 22 (G) Definitions

- (1) "Labor organization" means any agency, union, employee representation committee, or organization of any kind that exists for the purpose, in whole or in part, of dealing with employers concerning collective bargaining, grievances, wages, benefits, rates of pay, hours of work, other forms of compensation, or other conditions of employment.
- (2) "Person or employer" includes all persons and employers in the state of Ohio, whether public or private, with the exception of the federal government of the United States and its employees.
- (3) Indirect requirements, include, but are not limited to the imposition of fines, penalties, or other costs or charges for, or the conditioning of public or private sector employment or employment opportunities on (a) failure to become or remain a member of a labor organization; or (b) paying or transferring dues, fees, assessments, other charges, or anything else of value to a labor organization. Indirect requirement further includes payments to third parties in lieu of the payments prohibited above.
- (4) "Fines, penalties, or other costs or charges" includes but is not limited to any civil, criminal, contractual or other penalty; any fine, tax, or monetary charge; or any salary or wage withholding or surcharge or fee that is used to punish or discourage the exercise of rights protected under this section.

STATEMENT OF CIRCULATOR

I, _____, declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of _____ electors, that the signatures appended hereto were made and appended in my presence on the date set opposite each respective name, and are the signatures of the persons whose names they purport to be or of attorneys in fact acting pursuant to section 3501.382 of the Revised Code, and that the electors signing this petition did so with knowledge of the contents of same. I am employed to circulate this petition by

_____ (Name and address of employer).

(The preceding sentence shall be completed as required by section 3501.38 of the Revised Code *if the circulator is being employed to circulate the petition.*)

I further declare under penalty of election falsification in accordance with section 3501.38 of the Revised Code that I witnessed the affixing of every signature to the foregoing petition paper, that all signers were to the best of my knowledge and belief qualified to sign, and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

(Signed) _____

(Address of circulator's permanent residence) _____
_____ (Number and Street)

_____ (City, State and Zip Code)

**WHOEVER COMMITS ELECTION FALSIFICATION
IS GUILTY OF A FELONY OF THE FIFTH DEGREE.**