

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1033

Short Title: Firefighter/EMS Payroll Deduction. (Public)

Sponsors: Representatives Cole, Goforth, Brubaker (Primary Sponsors); Cotham, Faison, Fisher, Insko, Lucas, Parmon, Womble, and Wray.

Referred to: State Government/State Personnel, if favorable, Judiciary II.

April 6, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE PAYROLL DEDUCTIONS FOR CERTAIN EMPLOYEE
3 ASSOCIATIONS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Part 4 of Article 5 of Chapter 153A of the General Statutes is
6 amended by adding a new section to read:

7 **"§ 153A-92.1. Payroll deduction for payments to employee associations allowed.**

8 (a) Definitions. – The following definitions apply in this section:

9 (1) Emergency medical services personnel. – An individual who provides
10 out-of-hospital emergency medical care, including an emergency medical
11 technician, paramedic, or first responder.

12 (2) Employee. – Any county officer or employee paid by the county.

13 (3) Employer. – Any county or political subdivision of the State.

14 (4) Firefighter. – An individual employed by a fire department who does any of
15 the following:

16 a. Primarily performs work directly related to the control and
17 extinguishment of fires.

18 b. Is responsible for the maintenance and use of firefighting apparatus
19 and equipment, for fire prevention and investigation, or for
20 communications and dispatch.

21 c. Provides emergency medical care.

22 (5) Law enforcement officer. – An individual employed by a law enforcement
23 employer who has the power of arrest and the power to enforce the criminal
24 laws of the State. The term does not include sheriffs' department personnel.

25 (b) Certain Deductions Authorized. – The following deductions from an employee's
26 compensation are authorized:

27 (1) An employer of emergency medical services personnel or firefighters shall
28 make a payroll deduction upon the request of the employee for the
29 membership dues of any firefighter and emergency medical services
30 personnel organization that represents a majority of eligible employees in the
31 employer's department.

32 (2) An employer of law enforcement officers shall make a payroll deduction
33 upon the request of a law enforcement officer for a law enforcement
34 organization or association that has at least 2,000 members statewide.

35 (3) An employer shall make a payroll deduction upon the request of the
36 employee for the membership dues of an employee organization or



1 association that has at least 2,000 members statewide, at least 500 of whom
2 are law enforcement officers.

3 (c) Procedure for Deduction. – The authorization for the deduction shall be provided in
4 a signed writing and shall remain in effect until revoked.

5 (d) Sheriffs' Personnel Excepted. – The provisions of this section do not apply to
6 sheriffs' department personnel."

7 **SECTION 2.** Part 4 of Article 7 of Chapter 160A of the General Statutes is
8 amended by adding a new section to read:

9 **"§ 160A-162.1. Payroll deduction for payments to employee associations allowed.**

10 (a) Definitions. – The following definitions apply in this section:

11 (1) Emergency medical services personnel. – An individual who provides
12 out-of-hospital emergency medical care, including an emergency medical
13 technician, paramedic, or first responder.

14 (2) Employee. – Any municipal officer or employee paid by the municipality.

15 (3) Employer. – Any municipality or political subdivision of the State.

16 (4) Firefighter. – An individual employed by a fire department who does any of
17 the following:

18 a. Primarily performs work directly related to the control and
19 extinguishment of fires.

20 b. Is responsible for the maintenance and use of firefighting apparatus
21 and equipment, for fire prevention and investigation, or for
22 communications and dispatch.

23 c. Provides emergency medical care.

24 (5) Law enforcement officer. – An individual employed by a law enforcement
25 employer who has the power of arrest and the power to enforce the criminal
26 laws of the State. The term does not include sheriffs' department personnel.

27 (b) Certain Deductions Authorized. – The following deductions from an employee's
28 compensation are authorized:

29 (1) An employer of emergency medical services personnel or firefighters shall
30 make a payroll deduction upon the request of the employee for the
31 membership dues of any firefighter and emergency medical services
32 personnel organization that represents a majority of eligible employees in the
33 employer's department.

34 (2) An employer of law enforcement officers shall make a payroll deduction
35 upon the request of a law enforcement officer for a law enforcement
36 organization or association that has at least 2,000 members statewide.

37 (3) An employer shall make a payroll deduction upon the request of the
38 employee for the membership dues of an employee organization or
39 association that has at least 2,000 members statewide, at least 500 of whom
40 are law enforcement officers.

41 (c) Procedure for Deduction. – The authorization for the deduction shall be provided in
42 a signed writing and shall remain in effect until revoked.

43 (d) Sheriffs' Personnel Excepted. – The provisions of this section do not apply to
44 sheriffs' department personnel."

45 **SECTION 3.** This act is effective when it becomes law.