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Senate Labor and Commerce Committee

SB 224 Evidence Rules: Union/Employee Privilege Sponsor Statement

Senate Bill 224 seeks to protect confidential information acquired by an agent of an employee's union in the course of providing that employee advocacy services relating to anticipated or ongoing disciplinary proceedings. Without the expectation of confidentiality, union members are hesitant to be fully forthcoming to their representative, severely hampering the union agent's ability to advise and represent the member and denying the employee the full and effective advocacy to which she or he is entitled.

The bill provides exceptions to this privilege, including being ordered by the court to disclose information concerning the commission of a crime, or if the employee consents to the disclosure. The bill also provides that where federal or state law preempts or conflicts with this act, the federal or state law prevails to the extent of the preemption or conflict.