

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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SENATE BILL DRS45352-LRy-87

Short Title: Amend NC Const./Right to Work.

(Public)

Sponsors: Senators Ford and Burgin (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO GUARANTEE A  
3 PERSON'S RIGHT TO WORK.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article I of the North Carolina Constitution is amended by adding a  
6 new section to read:

7 "**Sec. 39. Right to work.**

8 (1) The right to live includes the right to work. The exercise of the right to work must be  
9 protected and maintained free from undue restraints and coercion. It is hereby declared to be the  
10 public policy of North Carolina that the right of persons to work shall not be denied or abridged  
11 on account of membership or nonmembership in a labor organization.

12 (2) No person shall be required by an employer to become or remain a member of a labor  
13 organization as a condition of employment or continuation of employment with the employer.

14 (3) No person shall be required by an employer to abstain or refrain from membership in  
15 any labor organization as a condition of employment or continued employment.

16 (4) No employer shall require any person, as a condition of employment or continued  
17 employment, to pay to a labor organization any dues, fees, or other charges of any kind.

18 (5) This section does not apply to any lawful contract in force on the effective date but  
19 shall apply in all respects to contracts entered into thereafter and to any renewal or extension of  
20 any existing contract.

21 (6) The term "labor organization" as used in this section means any trade union, labor  
22 union, or other labor association."

23 SECTION 2. The amendment set out in Section 1 of this act shall be submitted to  
24 the qualified voters of the State at a statewide election to be conducted on November 8, 2022,  
25 which election shall be conducted under the laws then governing elections in the State. The  
26 question to be used in the voting systems and ballots shall be:

27 "[ ] FOR [ ] AGAINST

28 Constitutional amendment to provide that the right to live includes the right to work,  
29 and therefore the right of persons to work shall not be denied or abridged on account of  
30 membership or nonmembership in any labor organization."

31 SECTION 3. If a majority of votes cast on the question are in favor of the amendment  
32 set out in Section 1 of this act, the State Board of Elections shall certify the amendment to the  
33 Secretary of State. The Secretary of State shall enroll the amendment so certified among the  
34 permanent records of that office.

35 SECTION 4. The amendment set out in Section 1 of this act is effective upon  
36 certification.



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**SECTION 5.** This act is effective when it becomes law.