

THE TRUTH ABOUT HB267

What the bill actually did, why it was introduced, what compromise was reached, and why I later sponsored the repeal

HB267 has been one of the most misunderstood bills I have ever worked on. I understand why people had strong feelings about it. It dealt with public employees, teachers, firefighters, police officers, taxpayer resources, unions, collective bargaining, and the relationship between government employers and the people who work for them.

Those are important issues. They deserve a serious conversation.

Unfortunately, much of the public debate around HB267 became dominated by slogans, misinformation, national political pressure, and a well-funded referendum campaign. The bill was described as an attack on teachers, firefighters, police officers, and public employees. That was never the purpose of the bill, and it is not how I view the people who serve our communities.

The purpose of HB267 was to address a real problem in public employment: whether a private labor union should have exclusive bargaining authority over public employees in a workplace, including employees who are not members of that union, do not pay dues to that union, and may not agree with that union's priorities.

At its core, HB267 was about a simple principle: Every public employee deserves a voice. Not just union members. Not just employees who agree with union leadership. Not just those who are politically active. Every employee.

What was HB267?

HB267 was a public sector labor bill. It dealt only with government employment. It did not apply to private businesses or private-sector unions.

The bill addressed public sector collective bargaining, the use of taxpayer resources for union activity, professional liability coverage for teachers, and whether union employees who are not public employees should participate in the Utah Retirement System.

The bill did several important things:

First, it ended formal public sector collective bargaining in Utah by prohibiting a public employer from recognizing a labor union as the bargaining agent for public employees or entering into a collective bargaining agreement with a public sector labor union.

Second, it placed restrictions on the use of public money and public property for union activity. The basic idea was that taxpayer resources should not be used to support, promote, administer, or subsidize the operations of a private labor organization.

Third, it preserved the right of public employees to join a union, pay union dues, organize, advocate, and speak out on issues that matter to them.

Fourth, it provided professional liability insurance for teachers. That was an important component of the bill because I heard from many teachers who wanted that protection but felt like they could only get it by joining the union. I believed teachers should have access to professional liability coverage without feeling like they had to join a union to get that basic protection.

Fifth, it removed union employees from the Utah Retirement System when those individuals were not public employees. This is an important distinction. The bill did not remove public employees from the retirement system. It addressed individuals who were employed by a union, not by the government. The Utah Retirement System is for public employees, not employees of a private labor union.

HB267 did not ban unions. It did not stop public employees from joining unions. It did not stop unions from advocating. It did not stop public employees from speaking to their employer, school board, city council, county commission, or the Legislature.

It addressed whether a public employer should negotiate binding government employment policy through an exclusive representative model that gives one private organization formal bargaining authority over employees who may or may not belong to that organization.

What problem was the bill trying to solve?

The main problem HB267 tried to solve was exclusive representation.

In some public workplaces, a labor union may represent only a portion of the employees, but the union can still negotiate workplace rules that apply to everyone. That means employees who are not union members may still be governed by priorities negotiated by a union they did not join and may not support.

That raises a basic fairness issue.

Should a private labor union have monopoly bargaining authority over all employees in a public workplace, including those who are not members?

I do not believe that is the right model for public employment.

Public employees are not all the same. Teachers are not all the same. Firefighters are not all the same. Police officers are not all the same. Public employees have different views, different priorities, different concerns, and different circumstances.

Some may strongly support the union. Others may not. Some may want pay to be prioritized one way. Others may care more about class sizes, staffing, schedules, benefits, workplace flexibility, safety equipment, training, evaluation systems, or advancement opportunities.

HB267 was intended to move away from a system where one organization can speak as the exclusive voice and toward a system where public employers are expected to hear directly from all employees.

The goal was not less employee input. The goal was broader employee input.

Utah already does very little public sector collective bargaining

One of the most important things people need to understand is that Utah already does very little formal public sector collective bargaining.

This bill was often talked about as if it would dismantle the entire way public employment works in Utah. That is simply not accurate.

Outside of teachers, the only public employees in Utah who collectively bargain are police and firefighters in Salt Lake City. That is it. One city in the entire state.

South Jordan police and firefighters do not collectively bargain.

West Jordan police and firefighters do not collectively bargain.

And yet, those employees still have high union membership. Their unions still exist. Their members still advocate. City leaders still meet with union leadership. They still discuss pay, benefits, working conditions, staffing, safety, and other employment issues. But they do that without formal collective bargaining.

That is an important point because it shows the difference between eliminating unions and eliminating collective bargaining. Those are not the same thing.

The same is true in education. Not every school district in Utah collectively bargains. Nebo School District, for example, does not collectively bargain. There are still teachers in Nebo who are members of the union. The union still meets with district leaders. But the district also meets with other employees and gathers broader input before making compensation and employment decisions.

That is much closer to what I believe the model should be.

The employer should listen to the union. The employer should listen to teachers who are not in the union. The employer should listen to principals, staff, and other employees. The goal should be to hear from everyone, not to give one organization exclusive authority to speak for all employees.

HB267 would have moved more public employers toward a model that already exists in much of Utah.

That is why the claim that HB267 would have silenced public employees was wrong. In many parts of Utah, public employees already operate without collective bargaining, and they still have a voice.

Did HB267 ban unions?

No.

This is one of the biggest misconceptions about the bill.

HB267 did not prohibit public employees from joining a union. It did not prohibit unions from existing. It did not prohibit public employees from paying dues. It did not prohibit public

employees from advocating collectively. It did not prohibit unions from speaking at public meetings, lobbying elected officials, communicating with members, or organizing support for policy positions.

Public employees would still have had the right to associate, organize, speak, advocate, and participate in union activity.

What HB267 changed was the formal government bargaining relationship. It said that public employers should not enter into collective bargaining agreements with a labor union as the exclusive bargaining representative for public employees.

That is a very different thing from banning unions.

Unions would still be able to advocate. Employees would still be able to join them. Public employers could still meet with union leaders. But the union would no longer have a government-granted monopoly to bargain on behalf of all employees.

Why is public sector collective bargaining different from private sector collective bargaining?

Public sector bargaining is different because the employer is the government, and the money being negotiated is taxpayer money.

In the private sector, a business and a union negotiate over private resources. If a business makes a bad financial decision, the business bears the consequences. Customers can go elsewhere. Investors can walk away. The business can lose money or fail.

In the public sector, the employer is a school district, city, county, state agency, or other government entity. The funding comes from taxpayers. The policies affect public services. The people ultimately responsible are elected officials and public bodies that answer to the public.

That creates a unique conflict of interest.

Public sector unions often participate heavily in elections. They endorse candidates, spend money in races, mobilize members, and support political campaigns. Then, when those candidates are elected, some of those same elected officials or public bodies may sit across the table from those unions in collective bargaining negotiations.

That creates an inherent problem.

The union may help elect the officials who later negotiate against the union over taxpayer money, compensation, benefits, staffing, and workplace policies. That does not mean every official acts improperly. But the structure itself creates a conflict that does not exist in the same way in the private sector.

That is one reason public sector collective bargaining has always been more complicated.

Even Franklin D. Roosevelt, who was certainly not anti-union, warned that collective bargaining, as usually understood, could not simply be transplanted into public service. His concern was that

government officials do not bargain with their own private money. They are stewards of the public's money, and the true employer is the people.

That is the key difference.

Public employees should absolutely be heard. Teachers understand classrooms. Firefighters understand emergency response. Police officers understand public safety. Public employees often know better than anyone what is working and what is not.

But public policy should be made in an open, accountable process. Public employers should be accountable to employees and taxpayers, not locked into a system where one private organization is treated as the exclusive voice for all employees.

Utah would not have been the first state to limit public sector collective bargaining

Some opponents tried to portray HB267 as extreme or unprecedented. That is not accurate.

States across the country take different approaches to public sector collective bargaining. Some allow it broadly. Some restrict it by profession. Some allow only certain employees, like police or firefighters, to collectively bargain. Some prohibit public sector collective bargaining altogether.

North Carolina and South Carolina ban public sector collective bargaining. Other states, including states like Texas and Georgia, significantly restrict it and allow bargaining only for certain categories of public employees.

Utah's approach under HB267 would have been strong, but it would not have been unprecedented.

It also would have been consistent with how much of Utah already functions. Most public employees in Utah already do not collectively bargain, yet many still have union membership, union advocacy, and communication between union leaders and public employers.

What would HB267 actually have done?

HB267 would have prohibited public employers from entering into collective bargaining contracts with public sector labor unions.

It would have prohibited public employers from recognizing a labor union as the bargaining agent for public employees.

It would have limited the use of taxpayer-funded resources for union activity.

It would have allowed public employees to continue joining unions and paying dues.

It would have allowed unions to continue existing, organizing, communicating, and advocating.

It would have allowed public employers to continue meeting with union leaders and hearing their perspective.

It would have allowed public employees to continue speaking directly with their employer and elected officials.

It would have required public employers to find better ways to hear directly from all employees, not only through a union bargaining process.

It would have provided professional liability insurance for teachers, so teachers could have that protection without feeling pressure to join a union just to obtain liability coverage.

It would have removed union-only employees from the Utah Retirement System, while preserving retirement benefits for actual public employees.

The goal was to restore accountability and eliminate a monopoly model of representation, not to silence public employees.

What did HB267 not do?

HB267 did not cut teacher pay.

HB267 did not cut firefighter pay.

HB267 did not cut police officer pay.

HB267 did not reduce public employee benefits.

HB267 did not eliminate pensions for public employees.

HB267 did not remove public employees from the Utah Retirement System.

HB267 did not ban unions.

HB267 did not prohibit public employees from joining a union.

HB267 did not prohibit public employees from advocating for better pay, benefits, safety standards, staffing levels, or working conditions.

HB267 did not stop public employees from speaking at public meetings.

HB267 did not prevent labor unions from lobbying the Legislature or local governments.

HB267 did not prevent public employees from organizing politically.

HB267 did not prevent school districts, cities, or other public employers from meeting with union leaders.

Many of the claims made about the bill simply were not accurate.

Why did supporters believe reform was needed?

Supporters of HB267 believed reform was needed for several reasons.

First, every employee deserves a voice. A union should not be treated as the only voice of public employees when many employees are not members of that union.

Second, public employers should communicate directly with employees. School districts, cities, counties, and state agencies should not rely solely on union leadership to understand what employees need.

Third, taxpayer resources should be protected. Taxpayers should not be required to subsidize the internal operations or political activity of a private labor organization.

Fourth, public policy should be transparent. Decisions about compensation, benefits, staffing, workplace rules, and public services should be made through open and accountable government processes.

Fifth, representation should not be monopolized. A private organization should not be given exclusive authority to negotiate policies affecting employees who did not choose that organization as their representative.

Sixth, teachers should not feel like they have to join a union just to obtain professional liability protection. Providing teacher liability insurance directly was a way to protect teachers while also ensuring that a basic professional safeguard was not tied to union membership.

Seventh, the Utah Retirement System should be preserved for public employees. If someone works for a private labor union, that person should not be treated the same as a public employee for purposes of taxpayer-supported public retirement benefits.

Eighth, public sector collective bargaining creates a structural conflict of interest when unions spend money to elect public officials and then negotiate with those same public officials over taxpayer resources.

These concerns are not anti-worker. They are pro-worker—pro-accountability, pro-transparency, and pro-employee voice.

Was this about teachers?

No.

Teachers were certainly part of the public discussion because education is such an important public service, and because teachers unions were among the most vocal opponents. But HB267 applied more broadly to public sector labor organizations.

I have tremendous respect for teachers. I come from a family of educators. I have spent significant time working on education policy. I have supported major increases in public education funding. I have supported efforts to increase teacher pay, strengthen classrooms, and improve student outcomes.

Nothing about HB267 changed my respect for teachers.

In fact, one part of the bill was specifically intended to help teachers by providing professional liability insurance. I heard from many teachers who wanted that protection but believed they had to be part of the union to get it. I did not think that was right. Teachers should have access to professional liability coverage because they are professionals doing important work, not because they joined a particular organization.

The disagreement was not about whether teachers matter. They absolutely do.

The disagreement was about whether a union should have exclusive bargaining authority in a public employment setting and whether that model is the best way to make sure all employees are heard.

Good teachers should not have to join a union to have a voice.

And good teachers should not have to join a union to have professional liability protection.

Was this about firefighters and police officers?

No.

I respect our firefighters, police officers, corrections officers, dispatchers, and public safety professionals. These men and women do difficult and sometimes dangerous work. They deserve to be heard, respected, and supported.

The experience in Utah shows that public safety employees can have a strong voice even without collective bargaining. South Jordan and West Jordan police and fire employees do not collectively bargain. But many still belong to unions, and city leaders still meet with union leadership and listen to their concerns.

That model matters. It shows that eliminating formal collective bargaining does not eliminate the union, does not eliminate employee advocacy, and does not eliminate the employer's responsibility to listen.

The question HB267 raised was not whether public safety employees matter. They do.

The question was whether public safety policy, compensation, staffing, benefits, and workplace rules should be negotiated through an exclusive union bargaining model or handled through direct, accountable public processes where all employees can be heard.

Public safety employees should have strong input. Their concerns about safety, staffing, training, equipment, and working conditions should be taken seriously.

But those concerns do not require a monopoly bargaining model.

What misinformation spread about the bill?

A lot of misinformation spread after HB267 passed.

Some people said the bill banned unions. It did not.

Some said it silenced public employees. It did not.

Some said it cut pay or benefits. It did not.

Some said it removed public employees from the Utah Retirement System. It did not. It addressed union employees who were not public employees.

Some said it would prevent public employers from meeting with union leaders. It would not.

Some said it was an attack on teachers, firefighters, and police officers. It was not.

Some said public employees would have no way to communicate with their employers. That was not true.

Some said the bill was intended to retaliate against public employees or punish them for political activity. That was not the purpose of the bill.

Some ignored the fact that much of Utah already operates without public sector collective bargaining and still has active unions, high union membership in some areas, and regular communication between public employers and employee representatives.

The misinformation did not spread by accident. National labor organizations and allied groups put significant resources into the campaign against HB267.

According to Protect Utah Workers' campaign finance filings, the National Education Association alone contributed more than \$3 million to the effort. Union-related donors contributed nearly \$4.5 million overall, and more than \$3.8 million came from out-of-state contributors.

That money helped drive a campaign that, in my view, repeatedly mischaracterized what HB267 actually did. The public was told the bill banned unions. It did not. They were told it silenced public employees. It did not. They were told it cut pay, benefits, or retirement for public employees. It did not.

The result was a debate shaped less by the actual text of the bill and more by a national campaign designed to stop any meaningful reform of public sector collective bargaining.

The problem with misinformation is that it makes it much harder to have a serious policy discussion. Instead of debating the actual structure of public sector bargaining, the conversation became focused on claims that were not in the bill.

That is one of the reasons I ultimately sponsored the repeal.

Was there an attempted compromise?

Yes. And this is one of the most important parts of the story.

A compromise was reached between legislative leaders and union representatives.

The compromise included the major elements that ultimately passed in HB267, including provisions related to taxpayer resources, teacher professional liability insurance, and Utah Retirement System participation for union employees who were not public employees.

But instead of banning public sector collective bargaining entirely, the compromise would have allowed collective bargaining if a majority of all employees, not just union members, voted to give the union exclusive bargaining authority.

That was a significant compromise.

Under that approach, if 50% of all employees in the relevant bargaining unit voted to have the union serve as the sole negotiator on their behalf, then the union would have been allowed to exclusively bargain for all employees.

That model would have addressed the core fairness issue.

If a union is going to speak for everyone, then everyone should have a say in whether the union gets that authority.

Not just union members.

Not just employees who pay dues.

All employees.

That compromise would have preserved collective bargaining where a true majority of employees wanted it, while preventing a smaller group from giving a union monopoly bargaining power over everyone else.

In my view, that was a reasonable middle ground.

Unfortunately, after agreeing to the compromise, including signing a document reflecting the agreement, AFL-CIO, AFT, and AFSCME received strong pushback from their national affiliates and backed out of the deal.

Once the unions walked away from the compromise, the Senate moved forward and passed the original version of HB267, which included the ban on public sector collective bargaining.

That context matters.

The Legislature did not refuse to compromise. A compromise was reached. The compromise would have allowed collective bargaining where a majority of all employees voted for it. The deal fell apart after national union pressure caused key unions to walk away.

Why did the compromise matter?

The compromise mattered because it directly answered the central policy question: who should decide whether a union gets exclusive bargaining authority?

My view was simple.

If a union wants to advocate for its members, it should be free to do so.

If a union wants to meet with public employers, it should be free to do so.

If a union wants to lobby elected officials, speak at public meetings, or organize politically, it should be free to do so.

But if a union wants the legal authority to be the sole negotiator for all employees, including employees who are not union members, then all employees should get to vote on that.

That is not anti-union. That is basic fairness.

The compromise would have said: collective bargaining is available, but only where a majority of all employees choose it.

I still think that is a reasonable policy.

Why did the compromise fall through?

The compromise failed because the unions backed out after pressure from national affiliates.

That is frustrating because the compromise would have avoided much of the division that followed. It would have preserved a pathway for public sector collective bargaining. It would have required real majority support from all employees. It would have addressed taxpayer-resource issues. It would have provided teacher liability insurance. It would have protected the Utah Retirement System for public employees.

Instead, after the compromise collapsed, the Legislature was left with the original bill.

For supporters of HB267, the concern was that any compromise needed to address the monopoly bargaining problem. It was not enough to make minor procedural changes while leaving the core problem intact.

The compromise did address that problem.

But when the unions walked away, the original bill moved forward.

Why did some people praise HB267?

HB267 received national attention because public sector collective bargaining is a major policy issue across the country.

The Wall Street Journal Editorial Board praised HB267 and described it as a model for the nation. They saw Utah's approach as a serious effort to address the political power and structural conflicts created by public sector unions.

Later, when Utah repealed HB267, the Wall Street Journal Editorial Board criticized the repeal and argued that Utah had backed away from an important reform.

I understand why they took that view. HB267 raised legitimate policy concerns that many conservatives and taxpayer advocates around the country have discussed for years: union political spending, taxpayer accountability, exclusive representation, public-sector conflicts of interest, and the difficulty of bargaining over public resources with organizations that also participate in electing the officials on the other side of the table.

That does not mean every person had to agree with HB267.

But it does show that the bill was not some reckless or unserious idea. It was part of a long-running national debate over how public sector labor relations should work.

Why did I sponsor the repeal?

After HB267 passed, opponents launched a major campaign against the bill. The debate became increasingly divisive. Many public employees were told things about the bill that were not accurate. Many people became understandably concerned based on those claims.

The referendum campaign also changed the practical reality. National unions and allied groups poured major resources into Utah. The issue became less about the actual text of HB267 and more about a statewide political campaign driven by fear, misinformation, and national labor interests.

At that point, I had to evaluate the best path forward.

I continued to believe the underlying policy concerns were valid. I still believe every public employee deserves a voice. I still believe taxpayer resources should be used carefully. I still believe public employers should hear directly from all employees. I still believe monopoly representation in public employment raises serious fairness concerns. I still believe teachers should have access to liability protection without having to join a union. I still believe the Utah Retirement System should be reserved for public employees. And I still believe public sector collective bargaining creates a conflict of interest when unions help elect the officials they later bargain with.

But I also believe good policy requires public trust.

Once the debate became so distorted and divisive, I concluded that the better path was to repeal HB267 and reset the conversation.

That is why I did not merely support repeal. I sponsored the repeal bill.

Repeal was not an admission that the original concerns were wrong. It was a recognition that the process needed a reset.

What does repeal mean?

Repeal means HB267 is no longer the law.

It also means there is an opportunity to step back and work toward a better solution.

The repeal gives policymakers, public employees, public employers, labor representatives, and taxpayers an opportunity to have a more productive discussion about how public employees should be heard, how taxpayer resources should be protected, how teachers should have access to liability coverage, how retirement benefits should be limited to public employees, and how government employment decisions should be made.

The issue is not going away because the underlying questions are real:

How do we make sure all public employees have a voice?

How do we avoid giving one private organization exclusive power to speak for everyone?

How do we protect taxpayer resources?

How do we ensure public employers are accountable to employees and the public?

How do we support teachers, firefighters, police officers, and other public employees while also preserving transparent and responsible government?

How do we provide professional liability insurance for teachers without tying that protection to union membership?

How do we make sure public retirement benefits are for public employees?

How do we address the conflict of interest created when unions help elect public officials and then negotiate with those same officials?

Those are questions worth answering carefully.

Where do things go from here?

The path forward should be based on good faith, not slogans.

Public employees deserve respect.

Taxpayers deserve accountability.

Public employers need flexibility to manage public services responsibly.

Unions should be free to advocate for their members.

Employees who do not belong to a union should not be treated as if the union speaks for them.

Teachers should have access to professional liability protection.

Public retirement systems should be protected for public employees.

If collective bargaining is going to exist, all employees should have a say in whether a union gets exclusive authority to negotiate on their behalf.

The best solution will recognize all of those principles.

I am willing to work with stakeholders to find that solution. But I will continue to be clear about the values that motivated HB267 in the first place: employee voice, taxpayer accountability, transparency, fairness, teacher protection, and responsible use of public benefits.

The bottom line

HB267 was not an attack on public employees.

It was not a ban on unions.

It was not a cut to pay or benefits.

It was not an effort to silence teachers, firefighters, police officers, or any other public servants.

HB267 was an effort to address a real concern: whether a private labor union should have exclusive bargaining authority over public employees, including employees who are not members of that union.

It also tried to provide professional liability insurance for teachers and ensure that the Utah Retirement System is reserved for public employees, not employees of private labor unions.

A compromise was reached that would have allowed collective bargaining where a majority of all employees voted to authorize the union to serve as the exclusive negotiator. That compromise fell apart after national union pressure.

The bill then became the subject of significant misinformation and division, fueled in part by national money and a referendum campaign.

Because of that, I sponsored the repeal and supported starting over with a more deliberate stakeholder process.

That is the full story.

I sponsored HB267 because I believed the public sector bargaining system needed reform.

I sponsored the repeal because I believed the issue needed a reset.

And I remain committed to a solution that respects public employees, protects taxpayers, gives teachers the support they deserve, and ensures every public employee has a meaningful voice.

What this experience says about how I try to serve?

The debate over HB267 was difficult, but it also reflects something important about how I approach public service.

I am not afraid to take on hard issues. Some issues are simple and popular. Others are complicated, emotional, and politically risky. But those are often the issues that need serious attention. Public service requires more than avoiding controversy. It also requires more than creating controversy just to make a point. It requires a willingness to look directly at difficult problems and try to solve them.

I try to approach those issues from a clear set of conservative principles: limited government, taxpayer accountability, transparency, individual freedom, and respect for the people who are directly affected by government decisions. Those principles guide how I evaluate legislation, how I negotiate, and how I decide whether a bill is worth pursuing.

But being conservative does not mean refusing to listen. I believe in working with people, including those who strongly disagree with me. I do not believe compromise is weakness when it still advances the right principles. If I can bring people together and find a workable solution, I will do that.

I also believe in doing the work. It is easy to talk about problems. It is much harder to draft legislation, engage stakeholders, negotiate language, build support, answer criticism, and move a bill through the process. I have worked hard to be the kind of legislator who can turn ideas into

action and actually get things done for our community and for the state. That is why I have been recognized as one of the most effective legislators in the Utah Legislature.

At the same time, leadership is not just about pushing forward. It also requires judgment. There are times when the right thing is to keep fighting for a policy. There are also times when the better path is to step back, lower the temperature, and create room for a more productive conversation.

That is an important part of how I try to serve. I am willing to lead on difficult issues, but I am also willing to reassess when I believe it is in the best interest of the state. I do not view that as weakness. I view it as part of responsible governing.

Voters should know what they can expect from me. I will work hard. I will take on tough issues. I will be guided by conservative principles. I will listen to people who disagree with me. I will try to find workable solutions. I will fight to get meaningful legislation passed. And when the circumstances call for it, I will be willing to step back and find a better path forward.

That is what I believe effective public service requires: principle, hard work, judgment, and a commitment to doing what is right for Utah.