

HB 2059 -- Professional Relationships Between Teachers and School Districts Act

Sponsor: Wilson (130)

This bill establishes the Professional Relationships Between Teachers and School Districts Act. Procedures are specified under which local school boards will meet and negotiate with employee representation councils created from the local membership of employee organizations. The employee organizations must show proof that at least 10% of the employee unit supports their representation. A board of mediation is established for investigating alleged violations of the process and bringing action to enforce its orders. Willful interference with an order of the mediation board is a misdemeanor, subject to a fine of up to \$1,000.

The bill specifies what the mediation board is authorized to do and cannot do. Judicial review is permitted. Employees have the right to join and to refrain from joining an employee organization, to present their individual grievances without assistance from the organization, and to express opinions as long as their expression does not interfere with the employee's duties. Employee organizations have the right to represent employees, to use school facilities in certain circumstances, and to have membership dues deducted from an employee's pay. Employee councils have the right to represent the employees in their unit, communicate with unit members, and use school facilities in certain circumstances. Members of management and those with supervisory or confidential capacities will represent themselves. Employers may not threaten reprisal, deny the employee organization or council any of their rights, refuse to meet in good faith, or interfere with the formation of councils. Employee organizations and councils may not cause or attempt to cause violations of law, threaten reprisals, or refuse to meet in good faith. Employees may not strike, and employers may not lock out employees. Teachers face dismissal or the loss of tenure and a \$250 fine for each day of an illegal strike, while an employee organization may be fined \$5,000 per day for supporting a strike. The district may be fined \$5,000 per day for a lockout, and each member of the school board and the superintendent may be fined \$250 per day.

Procedures for establishing an employee representation council, the negotiation process, and the requirements for the written agreement are specified in the bill. The agreement becomes effective upon its adoption by a simple majority, and a local school board can also vote to reject or modify an agreement instead of accepting it. No party is required to enter into binding arbitration. The agreement document is a public

document, and the negotiation meetings are covered by the Open Meetings and Records Law, commonly known as the Sunshine Law.