

HB 805 -- Professional Relationships Between Teachers and School Districts Act

Sponsor: Wilson (130)

This bill establishes the Professional Relationships Between Teachers and School Districts Act which specifies the procedures under which local school boards can meet and negotiate with employee organizations.

The bill specifies what the employee organizations are 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 if it does not interfere with the employee's duties. Employee organizations have the right to establish membership criteria, to represent employees, to use school facilities in certain circumstances, and to have membership dues deducted from an employee's pay.

Members of management and those with supervisory or confidential capacities may represent themselves. Employers may not impose or threaten to impose reprisals or discriminate or threaten to discriminate, deny the employee organization or council any of their rights, refuse or fail to meet and negotiate in good faith, or dominate or interfere with the formation of employee organizations. Employee organizations may not cause or attempt to cause a public school employer or employee organization to violate the provisions of the act, impose or threaten to impose reprisals, or refuse or fail to cooperate 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:

(1) \$1,000 for a school district with an enrollment of at least 350 students;

(2) \$1,500 for a school district with an enrollment of between 351 and 1,000 students;

(3) \$3,000 for a school district with an enrollment of between 1,001 and 3,500 students;

(4) \$5,000 for a school district with an enrollment of between 3,501 and 7,500 students; or

(5) \$7,500 for a school district with an enrollment of more than 7,500 students.

School employers will be fined up to \$5,000 for an illegal lock out, and each member of the public school employer's governing board and school superintendent will be subject to a \$250 fine per day for an illegal lock out.

Each school district and employee organization must enter into a written agreement which will be sent to the local school board after it is ratified by the employee organization to accept or send back for further negotiating at which time the local school board may enter into impasse procedures or arbitration as allowed by school district policy. The agreement is binding after ratification by the employee organization and approval by the local board of education and is a public document. The negotiation meetings are covered under the Open Meetings and Records Law, commonly known as the Sunshine Law.