

# HB 1905 -- 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.

Public school employees have the right to form, join, or refrain from joining an employee organization; to present their individual grievances without the intervention of 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 and communicate with them, to use school facilities in certain circumstances, and to have membership dues deducted from an employee's pay. They must fairly represent each employee in the bargaining unit, and they have standing to sue on behalf of their members.

Members of management and those with supervisory or confidential capacities may represent themselves and cannot be represented by an employee organization. Employers may not impose or threaten to impose reprisals or discriminate or threaten to discriminate, deny the employee organization any of its 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 bill, 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 each day in an amount of:

- (1) \$1,000 for a school district with an enrollment of up to 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.

Employee organizations sponsoring strikes will lose their authority to represent employees for two years and to have dues deducted from employee paychecks for one year. School employers will be fined up to \$5,000 a day for an illegal lock out, and each member of the public school employer's governing board and school superintendent will be fined \$250 per day for an illegal lock out.

Every local school board must adopt and publish a policy that establishes a time line to begin negotiations before the adoption of the final budget sufficiently in advance of the adoption to allow adequate time for an agreement to be reached. The scope of negotiation is limited to wages, hours, and other terms of employment as specified in the bill, but nothing prohibits the parties from mutually agreeing to discuss other terms of employment. All matters not specifically enumerated are reserved to the school board.

Each school district must adopt and publish a policy on the procedures for recognizing and establishing employee organizations, but nothing precludes a district from working with more than one employee organization. Each recognized employee organization must develop a protocol for cooperation between and among all employee organizations to allow them to act together on behalf of all employees in the bargaining unit, including a procedure for communications between all groups, as well as protocols to ensure a binding agreement is honored and enforced. Each school district and employee organization must enter into a written agreement covering the matters in the meeting and negotiations which will be sent to the local school board after it is ratified by the employee organization to accept or send back for further negotiations at which time the local school board may enter into impasse procedures as allowed by the school district's policy. The agreement is binding after ratification by the employee organization and approval by the local school board and is a public document. The negotiation meetings are covered under the Open Meetings and Records Law, commonly known as the Sunshine Law.