



# LAWS OF ALASKA

1988

**Source**

CSHB 170 (Fin)

**Chapter No.**

95

**AN ACT**

Extending collective bargaining rights to noncertificated school district employees.

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**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 3, 1988  
Actual Effective Date: September 1, 1988

AN ACT

Extending collective bargaining rights to non-certificated school district employees.

\* Section 1. AS 14.20.550 is amended to read:

Sec. 14.20.550. NEGOTIATION WITH CERTIFICATED EMPLOYEES. A [EACH CITY, BOROUGH AND REGIONAL] school board [,] shall negotiate with its certificated employees in good faith on matters pertaining to their employment and the fulfillment of their professional duties. A school board shall negotiate in good faith with its noncertificated employees on matters of wages, hours, and other terms and conditions of employment.

\* Sec. 2. AS 14.20.555 is amended by adding a new subsection to read:

(d) Negotiations between the noncertificated employees of the regional educational attendance areas and the respective regional school boards shall be conducted by one team representing all the noncertificated employees and one team representing all the participating regional school boards. The provisions of (b) and (c) of this section apply to these negotiations.

\* Sec. 3. AS 14.20.560(a) is amended to read:

(a) When a majority of the certificated employees in a school district have designated an educational organization of their own choosing to bargain for them, the organization shall be recognized by the school board as the bargaining agent for all the certificated staff, except superintendents of schools. The membership of a [ANY

Chapter 95

1 SUCH] recognized educational organization shall be composed principal-  
2 ly of those employed in the teaching profession in Alaska. When a  
3 majority of the noncertificated employees in a school district have  
4 designated an employee bargaining organization to bargain for them,  
5 the school board shall recognize it as the bargaining agent for all of  
6 the noncertificated employees.

7 \* Sec. 4. AS 14.20.560(b) is amended to read:

8 (b) The organization representing a majority of the certificated  
9 or noncertificated employees of a school district shall, upon the  
10 request of the school board, submit an affidavit verifying that it  
11 does represent a majority of those [THE CERTIFICATED] employees.  
12 Recognition of the employee bargaining agency by a school board is  
13 valid for one year or a term agreed upon by the two parties to an  
14 agreement, unless a majority of those eligible to vote on the question  
15 [CERTIFIED STAFF] votes to request the termination of recognition of  
16 the employee bargaining agency. The school board is entitled to an  
17 affidavit of membership from the employee bargaining agency once each  
18 year.

19 \* Sec. 5. AS 14.20.560(c) is amended to read:

20 (c) Upon the request of 25 percent of the certificated or non-  
21 certificated employees in a district, the school board shall hold,  
22 within 20 days, an election by secret ballot of all the certificated  
23 or noncertificated employees in order to determine their choice of a  
24 bargaining agency. The results of this election are binding for one  
25 year.

26 \* Sec. 6. AS 14.20.570(b) is amended to read:

27 (b) If the mediation meetings are held during working hours [THE  
28 SCHOOL DAY], teachers or noncertificated employees representing an  
29 employee bargaining agency shall be released from [CLASSROOM OR OTHER]

1 assigned duties without penalty or loss of pay.

2 \* Sec. 7. AS 14.20.590 is amended to read:

3 Sec. 14.20.590. GRIEVANCE PROCEDURES. Negotiations agreements  
4 must

5 (1) [EXECUTED AFTER JULY 1, 1975 SHALL] define "grievances"  
6 and provide for grievance procedures for the certificated staff or  
7 noncertificated employees; the [. THE] grievance procedures shall  
8 provide that the final step in the procedure shall be binding arbi-  
9 tration; and

10 (2) [. THE NEGOTIATIONS AGREEMENT SHALL] provide a method  
11 for the selection of an arbitrator.

12 \* Sec. 8. Notwithstanding the amendments made to AS 14.20.560 by secs.  
13 3 - 5 of this Act, a bargaining unit that exists on the effective date of  
14 this Act may continue to exist unless the members of the unit vote by  
15 secret ballot to decertify the bargaining agent or to join with another  
16 bargaining unit in the school district.