

Introduced: 3/8/63
Referred: Health, Welfare
and Education and Labor
and Management

1 IN THE HOUSE

BY MR. PARSONS

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HOUSE BILL NO. 205

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRD LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to public school employee
7 organizations."

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

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* Section 1. It is the purpose of this Act to promote the
10 improvement of personnel management and employer-employee rela-
11 tions within the public school systems in the state by providing
12 a uniform basis for recognizing the right of public school employ-
13 ees to join organizations of their own choice and be represented
14 by such organizations in their employment relationships with
15 public school employers. Nothing contained herein supersedes
16 other provisions of law and the rules and regulations of public
17 school employers which establish and regulate tenure or which pro-
18 vide for other methods of administering employer-employee rela-
19 tions. This Act is intended instead, to strengthen tenure and
20 other methods of administering employer-employee relations through
21 the establishment of uniform and orderly methods of communication
22 between employees and the public employers.

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* Sec. 2. AS 39 is amended by adding a new chapter to read:

24

CHAPTER 40. PUBLIC SCHOOL EMPLOYEE ORGANIZATIONS.

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Sec. 39.40.010. RIGHT TO JOIN EMPLOYEE ORGANIZATION.

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Except as otherwise provided by law public school employees
28 may form, join and participate in the activities of employee
29 organizations of their own choosing for the purpose of
representation on all matters of employer-employee relations.

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1 Public school employees may also refuse to join or partici-
2 pate in the activities of an employee organization and may
3 represent themselves individually in their employment
4 relations with the public school employer.

5 Sec. 39.40.020. REPRESENTATION BY EMPLOYEE ORGANIZATION

6 (a) An employee organization may represent its members in
7 their employment relations with public school employers.

8 (b) An employee organization may establish reasonable
9 restrictions regarding who may join and may make reasonable
10 provisions for the dismissal of individuals from membership.

11 (c) The scope of representation includes all matters
12 relating to employment conditions and employer-employee
13 relations, including, but not restricted to, wages, hours,
14 and other terms and conditions of employment.

15 (d) Nothing in this section prohibits an employee from
16 appearing in his own behalf in his employment relations with
17 the public school employer.

18 Sec. 39.40.030. MEETING WITH EMPLOYER. (a) A public
19 school employer, or an administrative officer whom it may
20 designate, shall meet and confer in good faith with repre-
21 sentatives of employee organizations upon request, and shall
22 consider, in good faith, the presentations which are made by
23 the employee organization on behalf of its members before
24 arriving at a determination of policy or course of action.

25 (b) The designation of an administrative officer as
26 provided under (a) of this section does not preclude an em-
27 ployee organization from meeting with, appearing before, or
28 making proposals to the public school employer at a public
29 meeting if the employee organization requests a meeting.

1 Sec. 39.40.040. DISCRIMINATION BY EMPLOYER OR BY EM-
2 PLOYEE ORGANIZATION PROHIBITED. A public school employer or
3 an employee organization may not interfere with, intimidate,
4 restrain, coerce, or discriminate against a public school
5 employee because he exercises his rights under secs. 10 and
6 20 of this chapter.

7 Sec. 39.40.050. EMPLOYER REGULATIONS. (a) A public
8 school employer shall adopt reasonable rules and regulations
9 for the administration of employer-employee relations under
10 secs. 10 - 70 of this chapter.

11 (b) The rules and regulations may include provisions
12 for

13 (1) verifying that an organization does in fact
14 represent employees of the public school employer;

15 (2) verifying the official status of employee
16 organization officers and representatives;

17 (3) access of employee organization officers and
18 representatives to work locations;

19 (4) use of official bulletin boards and other
20 means of communication by employee organizations;

21 (5) furnishing complete and accurate nonconfiden-
22 tial information pertaining to employment relations to em-
23 ployee organizations;

24 (6) such other matters as are necessary to carry
25 out the purposes of secs. 10 - 70 of this chapter.

26 Sec. 39.40.060. EXEMPTION. An employee organization
27 is not a labor organization as defined in AS 23.40.030 and
28 is exempt from the provisions of AS 23.40.

29 Sec. 39.40.070. DEFINITIONS. In this chapter

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(1) "employee organization" means an organization which includes employees of a public school employer and which has as one of its primary purposes representing such employees in their relations with that public school;

(2) "public school employer" means a school district, any board of education, the Department of Education as the operating agency for schools outside incorporated areas, or a personnel commission of a school district, a political subdivision of the state, or the state;

(3) "public school employee" means a person employed by a public school employer excepting those persons elected by popular vote or appointed by the governor.