

Introduced: 4/17/69
Referred: Local Government
and Finance

1 IN THE HOUSE

BY THE HEALTH, WELFARE
AND EDUCATION COMMITTEE

2 HOUSE BILL NO. 391

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to mediation and negotiation pro-
7 cedures for teachers."

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

9 * Section 1. AS 14.20 is amended by adding new sections to read:

10 ARTICLE 6. NEGOTIATION.

11 Sec. 14.20.550. NEGOTIATION WITH CERTIFIED EMPLOYEES. Each school
12 board, and the state Board of Education for the state-operated schools,
13 shall negotiate with its certificated employees in good faith on
14 matters pertaining to their employment and the fulfillment of their
15 professional duties.

16 Sec. 14.20.560. TEACHERS' BARGAINING GROUPS. (a) When a majority
17 of the certificated employees in a school district have designated an
18 organization of their own choosing to bargain for them, the organization
19 shall be recognized by the school board as the bargaining agent for all
20 the certificated staff, except superintendents of schools.

21 (b) The organization representing a majority of the certificated
22 employees of a school district shall, upon the request of the school
23 board, submit an affidavit verifying that it does represent a majority
24 of the certificated employees. Recognition of the employee bargaining
25 agency by a school board is valid for one year or a term agreed upon by
26 the two parties to an agreement, unless a majority of certified staff
27 votes to request the termination of recognition of the employee
28 bargaining agency. The school board is entitled to an affidavit of
29 membership from the employee bargaining agency once each year.

1 (c) Upon the request of 25 per cent of the certificated employees
2 in a district, the school board shall hold, within 20 days, an election
3 by secret ballot of all the certificated employees in order to deter-
4 mine their choice of a bargaining agency. The results of this election
5 are binding for one year.

6 (d) A school board shall, upon the written request of the employee
7 bargaining organization, meet with the representative of the organiza-
8 tion within 20 days of the request at a time and place to be mutually
9 agreed upon. In the same manner, representatives of an employee bar-
10 gaining organization are required to meet with a school board or its
11 representatives within 20 days after receiving a written request. The
12 school board and the employee organization may not select more than
13 five representatives each to negotiate for them.

14 (e) The negotiating meeting may be held in executive session upon
15 mutual agreement of both parties, but all final agreements shall be
16 made at a public meeting of the school board.

17 Sec. 14.20.570. MEDIATION BOARD. (a) Upon the written request
18 for mediation by an employee bargaining agency or a school board, each
19 party shall choose two mediation board members within 10 days. Within
20 seven days of their selection, the four members shall meet to select
21 jointly a fifth member. No more than three days may be used in select-
22 ing the fifth member.

23 (b) The mediation board shall hold its initial hearing within
24 seven days of the selection of the fifth member. The fifth member
25 shall serve as chairman.

26 (c) Teachers serving as members of a mediation board established
27 by this section must have attained tenure under AS 14.20.150 and are
28 to be released from school duties without penalty or loss of pay.

29 (d) Mediation board members serve without compensation.

1 Sec. 14.20.580. DUTIES OF MEDIATION BOARD. (a) In a dispute be-
2 tween certificated employees and a school board, a mediation board shall
3 hear the evidence from both parties and from such other witnesses as
4 it may choose to hear.

5 (b) Within 30 days of its initial hearing, a mediation board
6 shall submit its findings and recommendations to both parties and to
7 the Commissioner of Education. This information shall also be avail-
8 able to the public. Upon mutual agreement by both parties, the report-
9 ing period may be extended.

10 Sec. 14.20.590. GRIEVANCE PROCEDURES. Negotiation agreements
11 shall provide for grievance procedures for the certificated staff.

12 Sec. 14.20.600. INDIVIDUAL CASES. Nothing in secs. 550 - 590 of
13 this chapter prohibits an employee from addressing a school board, as
14 an individual, through the regular procedures of the school board for
15 hearing individual cases.