

Introduced: 4/17/69
Referred: Local Govern-
ment 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 educational organization of their own choosing to bargain for them, the
19 organization shall be recognized by the school board as the bargaining
20 agent for all the certificated staff, except superintendents of schools.
21 The membership of any such recognized educational organization shall be
22 composed principally of those employed in the teaching profession in
23 Alaska.

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

1 votes to request the termination of recognition of the employee
2 bargaining agency. The school board is entitled to an affidavit of
3 membership from the employee bargaining agency once each year.

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

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

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

20 Sec. 14.20.570. MEDIATION BOARD. (a) Upon the written request
21 for mediation by an employee bargaining agency or a school board, and
22 upon certification by the requesting party that good faith negotiations
23 have terminated in a stalemate, each party shall choose two mediation
24 board members within 10 days. Within seven days of their selection,
25 the four members shall meet to select jointly a fifth member. No more
26 than three days may be used in selecting the fifth member.

27 (b) The mediation board shall hold its initial hearing within
28 seven days of the selection of the fifth member. The fifth member
29 shall serve as chairman.

1 (c) Teachers serving as members of a mediation board established
2 by this section must have attained tenure under AS 14.20.150 and are
3 to be released from school duties without penalty or loss of pay in
4 those instances where representatives of the board are receiving pay
5 from public funds.

6 (d) Mediation board members serve without compensation.

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

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

16 Sec. 14.20.590. GRIEVANCE PROCEDURES. Negotiation agreements
17 shall provide for grievance procedures for the certificated staff.

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

22 Sec. 14.20.610. LEGAL RESPONSIBILITIES OF BOARDS. Nothing in the
23 foregoing provisions shall be construed as an abrogation or delegation
24 of the legal responsibilities, powers, and duties of the School Board
25 including its right to make final decisions on policies.
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