

Introduced: 4/16/80
Referred: Judiciary

BY THE COMMUNITY AND REGIONAL
AFFAIRS COMMITTEE

1 IN THE HOUSE

2 HOUSE BILL NO. 1009

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Public Employment Relations
7 Act, authorizing teachers to engage in collective
8 bargaining under the Public Employment Relations Act,
9 and repealing the provisions relating to collective
10 bargaining by teachers under AS 14."

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

12 * Section 1. AS 23.40.200(c) is amended to read:

13 (c) The class in (a)(2) of this section is composed of public
14 utility, snow removal, sanitation and [PUBLIC SCHOOL AND OTHER] educa-
15 tional institution employees, including public school teachers. Em-
16 ployees in this class may engage in a strike after mediation, subject to
17 the voting requirement of (d) of this section, for a limited time. The
18 limit is determined by the interests of the health, safety or welfare of
19 the public. The public employer or the labor relations agency may apply
20 to the superior court in the judicial district in which the strike is
21 occurring for an order enjoining the strike. A strike may not be en-
22 joined unless it can be shown that it has begun to threaten the health,
23 safety or welfare of the public. A court, in deciding whether or not to
24 enjoin the strike, shall consider the total equities in the particular
25 class. "Total equities" includes not only the impact of a strike on the
26 public but also the extent to which employee organizations and public
27 employers have met their statutory obligations. If an impasse or dead-
28 lock still exists after the issuance of an injunction, the parties shall
29 submit to arbitration to be carried out under AS 09.43.030.

1 * Sec. 2. AS 23.40.250(5) and (6) are amended to read:

2 (5) "public employee" means any employee of a public employer,
3 whether or not in the classified service of the public employer, except
4 elected or appointed officials and [OR TEACHERS OR] noncertificated
5 employees of school districts;

6 (6) "public employer" means the state or a political sub-
7 division of the state, including without limitation, a [TOWN,] city,
8 borough, district, board of regents, public [AND QUASI-PUBLIC] corpo-
9 ration, housing authority or other authority established by law, and a
10 person designated by the public employer to act in its interest in
11 dealing with public employees;

12 * Sec. 3. AS 14.20.550 - 14.20.610 are repealed.

13 * Sec. 4. This Act does not effect a contract or other obligation created
14 by provision of law repealed by this Act. A contract or obligation remains
15 in effect until it expires as provided by its terms.