

Introduced: 3/31/89
Referred: Labor & Commerce and
Health, Education & Social Services

6-1037A

1 IN THE HOUSE

BY SHULTZ BY REQUEST

2

HOUSE BILL NO. 256

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the right to refrain from enter-
7 ing into collective bargaining for employees of
8 school boards."

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

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

11 Sec. 14.20.550. NEGOTIATION WITH EMPLOYEES. A school board
12 shall negotiate in good faith with its certificated employees who have
13 organized under AS 14.20.560 [IN GOOD FAITH] on matters pertaining to
14 their employment and the fulfillment of their professional duties. A
15 school board shall negotiate in good faith with its noncertificated
16 employees who have organized under AS 14.20.560 on matters of wages,
17 hours, and other terms and conditions of employment.

18 * Sec. 2. AS 14.20.550 is amended by adding a new subsection to read:

19 (b) An agreement negotiated under this section may not require
20 that persons employed by a school district be members of or provide
21 financial support to a bargaining organization. The agreement may not
22 make membership in the organization a condition of employment or
23 continuation of employment and may not require a person who is not a
24 member to pay dues, an agency fee, a representation fee, or a service
25 fee as a share of the expenses in negotiation or contract administra-
26 tion incurred by the bargaining organization. Violation of this
27 subsection is a restraint of trade or commerce under AS 45.50.471.

28 * Sec. 3. AS 14.20.555(a) is amended to read:

29 (a) Negotiations between the certificated employees of the

1 regional educational attendance areas and the respective regional
2 school boards shall be conducted by one team representing [ALL] the
3 certificated employees who are members of a bargaining organization,
4 one team representing [ALL] the certificated administrative personnel
5 who are members of a bargaining organization if they have joined
6 together to negotiate independently as provided in AS 14.20.560(f),
7 and one team representing all the participating regional school
8 boards.

9 * Sec. 4. AS 14.20.555(d) is amended to read:

10 (d) Negotiations between the noncertificated employees of the
11 regional educational attendance areas and the respective regional
12 school boards shall be conducted by one team representing [ALL] the
13 noncertificated employees who are members of a bargaining organization
14 and one team representing all the participating regional school
15 boards. The provisions of (b) and (c) of this section apply to these
16 negotiations.

17 * Sec. 5. AS 14.20.560(a) is amended to read:

18 (a) When a majority of the certificated employees in a school
19 district have designated an educational organization of their own
20 choosing to bargain for them, the organization shall be recognized by
21 the school board as the bargaining agent for [ALL] the certificated
22 staff who are members of the organization, except superintendents of
23 schools. The membership of a recognized educational organization
24 shall be composed principally of those employed in the teaching pro-
25 fession in the state [ALASKA]. When a majority of the noncertificated
26 employees in a school district have designated an employee bargaining
27 organization to bargain for them, the school board shall recognize it
28 as the bargaining agent for [ALL OF] the noncertificated employees who
29 are members of the organization.

1 * Sec. 6. AS 14.20.560(b) is amended to read:

2 (b) The organization representing a majority of the certificated
3 or noncertificated employees of a school district shall, upon the
4 request of the school board, submit an affidavit verifying that [IT
5 DOES REPRESENT] a majority of those employees are current members of
6 the organization. Recognition of the employee bargaining agency by a
7 school board is valid for one year or a term agreed upon by the two
8 parties to an agreement, unless a majority of those eligible to vote
9 on the question votes to request the termination of recognition of the
10 employee bargaining agency. The school board is entitled to an affi-
11 davit of membership from the employee bargaining agency once each
12 year.

13 * Sec. 7. Nothing in this Act terminates or modifies a negotiations
14 agreement in effect on the effective date of this Act.