

H B

170



Alaska State Legislature
House of Representatives
COMMITTEE ON HEALTH, EDUCATION
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCHV
JUNEAU, AK 99811
465-3759

MEMORANDUM

TO: Members of the House Hess Committee
FROM: Niilo Koponen, Co-Chairman
DATE: May 1, 1987
RE: Bus Driver Employee Protection under CS HB 170 (HESS)

In today's subcommittee meeting on HB 170, Representative Hudson inquired as to the possibility of ensuring that school bus drivers be covered under the Public Employee Relations Act (PERA).

Under this bill, if a school bus driver was a direct employee of a school district they would have the right to collectively bargain under PERA. However, most school districts contract out to private companies for their school bus services.

The rights of employees of private companies to organize are covered under national labor relations law. According to Randy Carr of the Labor Relations Agency, an Alaskan law allowing employees of private companies who contract with school districts to organize under PERA would be superseded by national law.

Representative Hudson also brought up the increasing problem of out-of-state contracting for school bus services. The House Labor and Commerce committee is presently working on legislation that would require Alaska bus drivers have at least two years experience in-state, that the minimum age be raised to 21, and that they receive a starting wage higher than present minimum wage. Though this does not directly address the question of collective bargaining or employee rights for Alaskan bus driver's, this legislation, as presented to me by committee staff, would address some of the problems discussed.



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January 6, 1988

To: Rep. John Sund, Chair
Members, House Judiciary Committee

Re: CSHB 170 (HESS); "An Act relating to participation of political sub-divisions under the Public Employment Relations Act and to collective bargaining rights of school district employees."

NEA-Alaska supports and strongly encourages passage of CSHB 170 (HESS).

By not having access to a statutory right to organize and negotiate on their terms and conditions of employment, the non-certificated employees of school districts have been relegated to a "second class" status since the inception of collective bargaining for public employees in Alaska. AS 14.20.550 for certificated employees of school districts was originally passed in 1970 and AS 23.40.070, the Public Employment Relations Act, was passed in 1972.

By its Declaration of Policy in AS 23.40.070, the Alaska Legislature has clearly stated that joint public employee/employer decision making on wages and working conditions is in the public interest and enhances the potential for more effective government. It is essential that employees have a meaningful voice in determining the conditions of their work environment and that there be a rational mechanism to facilitate this process and bring it to closure.

Relative to the non-certificated employees of school districts CSHB 170 (HESS) is consistent with State Policy and finally rectifies a long standing inequity.

Non-certificated employees of school districts are members of the public and should be afforded the same rights, status, and benefits that are available to the rest of the citizens of our State.

Opponents of CSHB 170 (HESS) allege an intrusion into local control and suggest that the local election process is a viable option to the collective bargaining process as a means for determining the conditions of one's work environment.

It is our feeling that this is an irresponsible position and ignores the basic principles and policies of the State. Further, they have offered no alternatives other than the option of unilateral determination by public employers. In our opinion, this should not be an acceptable alternative.

Thank you for your consideration of the NEA-Alaska position. We encourage favorable and expeditious attention to CSHB 170 (HESS).

Respectfully submitted,

Robert Manners
Executive Secretary

BM01/dl





EDUCATION SUPPORT STAFF ASSOCIATION
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JAN 11 1988

January 8, 1988

Representative John Sund
Alaska State Legislature
Pouch V (MS 3100)
Juneau, AK 99811

Dear Representative Sund:

The purpose of this letter is to communicate to you as chairperson and the other House Judiciary Committee members our profound support for H. B. 170.

It is the public policy of the State of Alaska to promote harmonious and cooperative relations between government and its employees, and to protect the public by assuring effective and orderly operation of government. In so doing the Legislature has recognized the benefits of joint decision-making, the need for established guidelines and the necessity for a rational method to resolve disputes by passing the Public Employees Relations Act.

Yet 4500 to 5000 non-certificated school district employees have been excluded from the state's public policy. These employees do not enjoy the same rights as most other public employees in the state of Alaska.

Since 1978, I have testified in nearly every session of the legislature regarding collective bargaining rights for non-certificated school district employees. We are seeking equity with other public employees, including teachers with whom we work closely every day of the school year.

The current situation for non-certificated employees of Alaskan school districts is intolerable at best. In school districts where collective "begging" is allowed and condoned, the school boards and administration make the rules, play the game, and serve as the referees. The process, where allowed, is not working. The fundamental example can be illustrated as follows. When the school board's representatives are unable to get the employee organization to withdraw from a position or "cave in", they merely put a proposal on the table and give the employee representatives an ultimatum to take it or the bargaining relationship will be severed with the employee organization.

Non-certificated school district employees must be statutorily recognized for collective bargaining purposes if the State's public policy is to be extended to all public employees.

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Representative John Sund

January 8, 1988

A good bargaining statute, as I have testified many times, provides equity for both sides by establishing the rules by which the players must abide. That means establishing three fundamental elements: 1) mandatory bargaining; 2) an agency which will insist that the rules be followed; and 3) finality to the collective bargaining process. H.B. 170 provides these fundamental elements.

It is difficult to understand why non-certificated employees of school districts have remained outside the scope of mandatory bargaining when the public policy of the State is to afford that opportunity to all employees of the State and its political subdivisions.

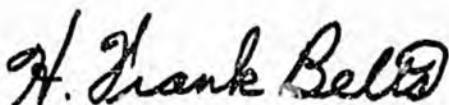
We are frustrated beyond belief because of our futile attempts to gain statutory recognition for non-certificated school district employees. No equity exists in an area which is very complex. Collective "begging" is what we do and inherent in that is the perception that we are "second class" employees or worse. Many of the feelings that the Native Americans, blacks, Hispanics, women and other minorities have felt are being experienced by employees of school districts who see themselves as being left out of the collective bargaining process enjoyed by most other employee groups in the state and nation.

As chairperson of the House Judiciary Committee, we are requesting your assistance in rectifying this problem.

We hope to be present for the committee hearing on January 13, 1988.

Thank you for your cooperation in this matter. If we can be of assistance, don't hesitate to call on us.

Sincerely,



H. Frank Belts
Business Manager

cc: Representatives Dave Donley, Fran Ulmer, Sam Cotten, Max Gruenberg, Jr., Mike Navarre, Ramona Barnes, Robin Taylor

HFB/nr

FAIRBANKS CENTRAL LABOR COUNCIL
A. F. of L. - C. I. O.

819 FIRST AVENUE
FAIRBANKS, ALASKA 99701

April 2, 1987

Representative Niilo Koponen, Chairman
Health, Education & Social Services Committee
Post Office Box "V"
Juneau, Alaska 99811

Dear Representative *Niilo* Koponen:

I will be unable to attend the HESS hearing on H.B. 170 and respectfully request that my testimony be read into the record.

H.B. 170 is important legislation and we are particularly pleased with the language of this bill. It embodies the intent of several bills of last session, yet is written in a way we feel is most likely to pass. I hope that it will not be amended.

Sincerely,



Barry Haight
President

Encl.

cc: Rep. Max Gruenberg
Rep. Dave Donley

FAIRBANKS CENTRAL LABOR COUNCIL
A. F. of L. - C. I. O.

819 FIRST AVENUE
FAIRBANKS, ALASKA 99701

Testimony of Barry Haight, President

To: Health, Education & Social Services Committee, April 8, 1987

Re: H.B. 170

Mr. Chairman and Committee Members:

The Fairbanks Central Labor Council AFL-CIO vigorously supports passage of H.B. 170.

Passage of H.B. 170 will correct substantial inequities in existing law. It is difficult to justify why State employees should be granted the right to collectively bargain, while employees doing the same work for boroughs and cities should be denied that same right. That which is justification for one is justification for another.

In addition to State employees, thousands of private sector employees are granted by Federal and State law the right to organize and collectively bargain. They include construction workers, office and communication workers, truck and bus drivers, as well as those employed in our State's largest supermarkets. I would not argue the system is perfect, yet it allows a certain security for the employee and a good measure of stability for the employer.

The Municipality of Anchorage, upon its own initiative, adopted a collective bargaining system similar to the State Act some years ago. It has served Anchorage well.

After a number of years of sporadic bargaining, employee strikes, and expensive lawsuits, the City of Fairbanks placed itself under the State Public Employment Relations Act in 1983. A number of agreements have been negotiated without disruption since then.

There may be those who would use the present economic situation as rationale for not bargaining with employees. I would argue that it is in precisely these times that the individual worker and his family can least afford arbitrary changes to his terms and conditions of employment.

Collective bargaining agreements can provide for flexibility and stability with the employer. Current examples with the City of Fairbanks include:

- 1) Most contracts contain language for periodic review and mutual change to terms or language during the life of the agreement.
- 2) Recently one bargaining unit voluntarily agreed to extend the contract for a year and defer wage and benefit increases already scheduled.
- 3) All contracts provide an orderly plan for lay-offs which the employer is free to use at any time.
- 4) All contracts contain language preventing work stoppage or slow-downs.

- 5) Annual and sick leave plans were established by the City about 15 years ago, prior to negotiated contracts. They have been found adequate and have not been increased in any subsequent agreements.

- 6) Finally, most City of Fairbanks contracts are in the process of being renewed or have been recently settled. Settlements or on-going talks feature a variety of adjustments or freezes to help with revenue shortfalls.


We ask that you favorably pass H.B. 170 from your Committee.

Alaska
MUNICIPAL
League

TELEPHONE
(907) 586-1325

105 MUNICIPAL WAY, SUITE 301
JUNEAU, ALASKA 99801

TO: Representative Dave Donley, Chair
Members of the House Labor and Commerce Committee

FROM: Scott A. Burgess, Executive Director 

DATE: March 19, 1987

SUBJECT: HB 170 - Mandatory PERA for Municipalities and School Districts

The Alaska Municipal League is opposed to HB 170 based on the language cited below from the AML 1987 Policy Statement (page 22), adopted by the membership at the 1986 annual meeting in Juneau in November:

"Alaska Public Employees Labor Relations Act: The League strongly opposes any legislation which would force municipalities to be subject to the provisions of the Alaska Public Employees Labor Relations Act. The League opposes, just as strongly, any legislative efforts to dictate the provisions of local public employees labor relations ordinances. The League supports legislation to allow each municipality at any time to reject or withdraw from the terms of the Alaska Public Employees Relations Act."

"Binding Arbitration: The League opposes legislation imposing binding arbitration on local governments and school districts. Binding arbitration hinders local elected officials' ability to determine their personnel costs and prevents local governments from having complete control of determining the local tax rate. The scope of decisions with regard to what local government can afford for labor is best left to the local bodies possessing that knowledge."

These are long-standing policies of the AML. Legislation similar to this have been introduced into the Alaska State Legislature perennially, and the AML and its over 120 municipal members have opposed it each time. The concern and opposition by local governments to mandating participation in PERA, and thereby requiring the ability to strike or binding arbitration as a final step in the negotiating process for municipal employees and teachers, only increases as salaries and benefits have increased. Many of the increases in benefits, at least, have resulted from action by the Legislature, and over which the municipalities have no control. The potential limits on local officials' ability to control their budgets presented by HB 170 is an even greater concern when federal and state assistance to municipalities continues to decrease and municipalities have had to increase taxes and/or reduce services.

AML Testimony on HB 170

March 19, 1987

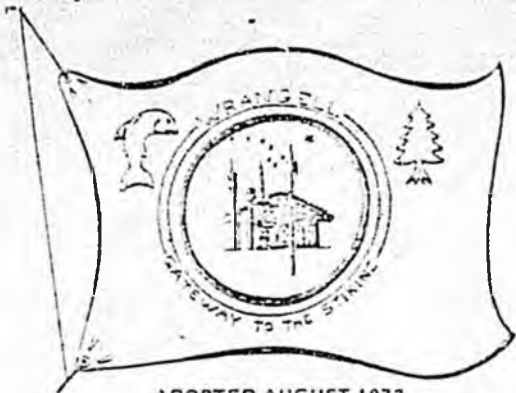
Page 2

I have attached a copy of a letter received this year from the City of Wrangell stating their opposition to HB 170. Additional correspondence in opposition to similar legislation, proposed in the past, is also available to the Committee, if requested. I have also attached position papers on mandatory PERA for local employees and on binding arbitration for teachers developed by the AML Legislative Committee last year for similar legislation. Finally, I have summarized below some of the major reasons for the local governments' opposition to the legislation for the Committee:

1. Municipalities are opposed, generally, to State mandates on local governments which remove local control and increase cost without remuneration by the State.
2. Mandating PERA, or the adoption of ordinances with the same effect, removes the power of the elected representatives at the local level to set policy and budgets by balancing the resources and needs of the whole community rather than one segment - public employees.
3. Public employees and teachers have recourse through their elected officials on the city council or borough assembly or school boards to address specific concerns, or to influence voters to elect representatives who are more sympathetic to their positions
4. Public employees can put collective bargaining before the local voters and the assembly or council through the initiative and referendum process.
5. The public sector is different from the private sector in terms of the services provided, civil service protections, and their access to, and the responsibility of, the elected officials.
6. Many municipalities provide for collective bargaining but the final agreement as to terms and conditions of employment, including salaries is subject to approval of the city council or the school board.

The League strongly opposes HB 170. Thank you.

Attachment



ADOPTED AUGUST 1972

CITY of WRANGELL, ALASKA

INCORPORATED JUNE 15, 1903

BOX 531, 99929

(907) 874-2331

March 13, 1987

Representative John Sund
Chairman, House Judiciary
Alaska State Legislature
Pouch V
Juneau, AK 99811

Re: House Bill No. 170 relating to
PERA, Right to Strike or Binding Arbitration

Dear Sir:

The City of Wrangell is strongly opposed to House Bill No. 170. As written, the Bill would bring municipalities under the State Public Employment Relations Act (PERA) unless a local ordinance was enacted to permit collective bargaining with the right to strike or binding arbitration as the final step in the negotiation process. It also adds the right to strike for teachers if their contract does not provide for binding arbitration.

In 1972, the Legislature recognized the financial impact PERA could have on municipalities, as well as the need for local control, and provided that we could opt out of the Act by adoption of a Resolution or Ordinance. Recognizing the economic and social impact the Act could have on services provided to the public, the Wrangell City Council did opt out of the Act in the best interests of the taxpayers.

The Wrangell city employees are currently receiving wages and benefits that match or exceed those received by the private major industry employees in our community. We need not remind you that the non-governmental employees in our community are the very taxpayer that must bear the burden of government wages and benefits. While it is recognized that public employees received greater benefits than private employees for many years due to their lower wages, this is no longer true. In many cases (if not most) public employees far exceed private employees in both benefits and wages. The State, in fact, has several employees that receive a higher annual salary than the Governor, some of which were achieved through PERA.

The threat of strike or binding arbitration would place an unfair burden on local government. Unlike private industry, a government employee strike can effect the health and welfare of an entire community

CITY OF WRANGELL, ALASKA


Representative John Sund
March 13, 1987
Page Two

by reducing or completely stopping public services. Binding arbitration can take away the City Council's ability to set the mill levy and utility rates in a reasonable, equitable manner for all of the residents.

A greater burden is already being shifted to the local taxpayers through reductions in State funding and loss of Federal Shared Revenue. A Bill is now before you that repeals the senior citizen/disabled veteran property tax exemption and forces the local taxpayer to absorb the loss or turn their back on so many seniors living on limited incomes needing this exemption.

We urge defeat of House Bill No. 170 Which will only place a greater burden on local taxpayers.

Sincerely,



Joyce Rasler
City Manager

JR:fv

cc: Representative Robin Taylor
Senator Lloyd Jones
Alaska Municipal League
Wrangell City Council
Wrangell School Board

Position Paper
of
ANL Legislative
Subcommittee on Education
March 1986

RE: Proposed Legislation Relating to Local Governments
and Alaska Public Employees Labor Relations Act.

The 1986 Alaska Municipal League Policy, Part VIII, Local Government Powers, Section B(1), Alaska Public Employees Relations Act states "the League strongly opposes any legislation which would force municipalities to be subject to the provisions of the Alaska Public Employees Labor Relations Act. In addition, the League opposes just as strongly, any legislative efforts to dictate the provisions of local public employees labor relations ordinances. The League supports legislation to allow each municipality at anytime to reject or withdraw from the terms of the Alaska Public Employees Relation Act." In addition, Section B(2) states, that the League also opposes any legislation which forces municipalities to develop collective bargaining procedures ending in strike or binding arbitration. The following is in support of the League position:

1. Binding arbitration/PERA limits the authority of the Council/Assembly. If wages are set by binding arbitration, the Council/Assembly has to work any arbitration wage increases into the budget. If it is necessary to make cuts, cuts must be made in areas other than the arbitrated wages. The Council/Assembly would no longer have the authority to determine wages or control budgets.
2. Arbitrators tend to be from outside and do not have to deal with the overall budget or raise the funds to finance employee costs.
3. Municipal employees do have recourse -- the election process. They can influence voters to elect Council/Assembly members supportive of their positions. Also, employees still have the right to form employee organizations.
4. Each municipality is unique and should be allowed to handle collective bargaining in a manner that fits the community. Large communities have employee circumstances that are very different from small, and rural is different than urban. In addition, most of our local governments in Alaska are small, population under 1000, and there are not many staff members in any one category. This makes collective bargaining extremely impractical.
5. The provisions of PERA or binding arbitration are costly. There is the cost of the negotiation process itself. Municipalities in general do not have excess staff or staff time to prepare bargaining positions. Cost of hiring a negotiator is beyond most local budgets.

6. Government wages in Alaska tend to exceed those of private business and industry. Therefore, employees seem to be doing well without the added regulation.
7. In a time of funding cutbacks, increasing the cost of government doing business does not make much sense.
8. In regard to strikes, if a strike provision would ever be required, the municipality as an employer should have the same options that exist in private industry; for example, the employer (the municipality) should be able to continue services and hire others if employees strike.

In the end, it is, of course, the taxpayer who must bear any financial burden. The taxpayer now has control through the election process. With binding arbitration, the taxpayer gives up this control to the employee and arbitrator.

Position Paper
of
AML Legislative
Subcommittee on Education
March 1986

RE: Binding Arbitration for Teachers

The 1986 Alaska Municipal League Policy, Part VIII, Local Government Powers, Section B(2), Public Employees Relations Act, Binding Arbitration states "the League opposes legislation imposing binding arbitration on local governments. Such legislation would hinder local governments' ability to determine their personnel costs and prevent local governments from having complete control of determining the local tax rate." Many school districts are under local government control. The League is strongly opposed to binding arbitration as a required step in teacher negotiations. The following is in support of this position.

1. If binding arbitration were required, management prerogatives of Councils/Assemblies and local school boards would be curtailed. Control would pass to the arbitrators and teachers. This control would not only affect the issues arbitrated but other issues as well; the results of arbitration can force local governments/school board to adjust other decisions. For example, suppose the results of arbitration require the school board to pay a higher teacher wage than the board has budgeted. In order to pay the wage, the board may be forced to cut programs or other parts of the budget. The alternative would be to raise taxes.
2. The teachers and arbitrators are not responsible to the voters; the Councils/Assemblies and local school boards are. The buck stops with the governing bodies -- not with the arbitrators and teachers.
3. Arbitrators are from outside the community, do not pay local taxes, and, again, are not responsible to local voters for their decisions.
4. Binding arbitration removes fiscal responsibility from the school board and gives it to the teachers and arbitrators. The school district would be told what it could afford.
5. Binding arbitration tends to put the teacher on one side and administrators and the board on the other side as opposing parties, and creates a confrontation situation that can lead to a negative morale.
6. Teachers have control and input through the election process itself; both school board members and the local governing body are elected.

7. There are changes in public thinking and changes in elected officials. A requirement of binding arbitration may not take such changes into account.
8. Each school district is unique and should be free to adopt bargaining procedures to meet the needs of the district.
9. The arbitration process itself is costly. The cost of the arbitrator is estimated to be from \$1,500 to \$3,000. In addition, there is the cost of staff time for preparation of positions.

At a time when revenues are shrinking is not the time to increase costs for schools nor local governments.

In summary, whatever affects the budget of school districts is of major concern to local governments where there are locally controlled schools; the local governments, where local schools exist, are required to approve and financially support school budgets. Binding arbitration can force the local government/school to either increase taxes or cut services.



Alaska Public
Employees Association **APEA**

State Headquarters: 340 N. Franklin, Juneau, AK 99801 (907) 586-2334

MEMORANDUM

TO: Representative Dave Donley, Chairman
House Labor and Commerce Committee

FROM: Cherie Shelley, Executive Director

SUBJECT: HB 170 - Collective Bargaining

DATE: 18 March 1987

Equal treatment of public employees is the major concern of House Bill 170. Long overdue, the measure grants collective bargaining rights to noncertificated employees and guarantees the same rights to employees of all municipalities, school districts and political subdivisions.

The Alaska Public Employees Association endorses HB 170 because we support the rights of workers to organize and bargain collectively in the determination of their wages, benefits, and working conditions.

This measure will make the provisions of the Public Employment Relations Act available to all public employees in Alaska. In recognition of the desire for local autonomy, the legislation will allow the various municipalities and political subdivisions the option of replacing PERA with a local ordinance which gives employees the right to engage in collective bargaining.

Quite naturally, APEA would prefer all employees to enjoy the protections available under the Public Employment Relations Act. However, HB 170 is of great benefit to the many who are currently denied any voice in the determination of the terms and conditions of their employment.

We believe HB170 will promote better employer-employee relations and we urge the committee to consider this proposed legislation favorably.



Alaska Public
Employees Association **APEA**

State Headquarters: 340 N. Franklin, Juneau, AK 99801 (907) 586-2334

April 16, 1987

The Honorable Johnny Ellis
Chairman, House HESS Committee
P.O. Box V
Juneau, AK 99811

RE: HB 170 - Political Subdivisions and PERA

Dear Representative Ellis:

I attended and testified at the April 10 hearing on HB 170, and heard opposition expressed to Sections 2 and 4 of the bill. Section 2 would apply the Public Employment Relations Act (PERA), AS 23.40.070-23.40.260, to organized boroughs and political subdivisions of the state, unless they adopted ordinances permitting collective bargaining with either the right to strike or the right to binding arbitration as the final step in the negotiations process. Section 4, a necessary corollary to Section 2, repeals a section of PERA that gave these boroughs and subdivisions the unqualified right to opt out of PERA. I am writing now because I would like to elaborate on the brief comments I made at the hearing in support of these sections.

Most of the opposition among committee members seemed to be based on the premise that the two sections unduly infringed on the rights of boroughs and political subdivisions to handle their own labor relations. It is certainly true that enactment of these two sections might radically alter the personnel policies and practices of some boroughs and subdivisions. However, if those policies and practices are not fair, and not conducive to good employer/employee relations, why should they be regarded as sacrosanct? Boroughs and subdivisions are not sovereign entities like states; they are creature of the State of Alaska. The legislature in Title 29 and in other portions of the statutes has limited the discretion of boroughs and subdivisions in many areas. We at APEA believe that Sections 2 and 4 of HB 170 represent equally appropriate limitations.

The legislature in enacting PERA, and making it applicable to the state, recognized the importance of collective bargaining in the public sector, and the demoralization that can result when public

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employees have no say in the terms and conditions of their employment, but just have to accept what their employer chooses to give them. This is equally true of borough and municipal employees. Under the current state of the law, boroughs and political subdivisions are free to refuse collective bargaining altogether, as many have done, or to create inadequate systems, under which some bargaining can occur, but if the parties are unable to agree the employer can impose the terms. It is wholly reasonable for the legislature to decree that no public employer may operate in these ways.

Virtually every state with laws providing for collective bargaining in the public sector has made these laws mandatory for political subdivisions. Frequently these laws, like PERA, grant public employees the right to strike or, for essential employees, the right to binding interest arbitration. Among the larger states, for example, Pennsylvania, Illinois, Ohio and Wisconsin have such laws, as does Oregon. Indeed, at least one state, Washington, had mandated collective bargaining for its subdivisions even when the state itself does not have it. Thus Section 2 and 4 of HB 170 would hardly represent an unprecedentedly radical restriction on political subdivisions. To the contrary, Section 4 of HB 170, by repealing Section 4 of the 1972 law enacting PERA (the section allowing subdivisions to opt out), would bring Alaskan law in line with that of other states.

It is also worth noting that Section 2 and 4 would not automatically lead to changes in the boroughs and subdivisions. If employees there believe they are being fairly treated now, they may choose not to organize and bargain collectively, just as employees in some major well-run corporations (Delta Airlines is a good example) have opted not to do so. Sections 2 and 4 simply give public employees the opportunity; it does not require them to act on it.

I hope that these comments may cause some of your committee members to reconsider their opposition to Sections 2 and 4 of HB 170. I will be happy to discuss this matter further with anyone who might be interested.

Very truly yours,

John B. Gaguine
General Counsel

cc: House HESS Committee members

Bill No. Committee Substitute for House Bill 170 (HESS) Date January 12, 1988
Title "An Act relating to participation of political subdivisions under the Public Employment Relations Act and to collective bargaining rights of school district employees. Contact: Eileen Plate 465-2700

Committee Substitute for House Bill No. 170 (HESS) proposes several changes to Alaska's laws which relate to collective bargaining rights of public employees. Specifically, this bill:

1. Strengthens the Public Employment Relations Act by permitting political subdivisions to opt not to be covered by the Act only if they do not receive state funds and if they permit collective bargaining with either the right to strike or binding arbitration as a final step in the negotiating process. Currently, political subdivisions which do not permit collective bargaining may opt not to be covered by the Public Employment Relations Act; and
2. Extends coverage under the Public Employment Relations Act to non-certificated school employees. These non-certificated employees are not presently covered by the Act.

The Department of Labor would, however, recommend an amendment to the bill to clarify that a political subdivision's collective bargaining process must be substantially similar to that provided under AS 23.40.070 - 23.40.260 in order for the political subdivision to opt not to be covered by the Public Employment Relations Act. The present language in lines 15 and 16 of the bill does not make this clear.

In addition, school districts do not receive funds under those provisions of AS 29.60 referenced in Section 1 of the bill. Therefore, under the bill as presently written, school employees would effectively be denied the opportunity to bargain collectively, as actually intended under this bill.

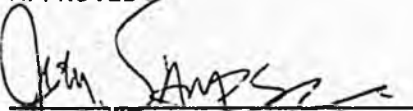
The Department, therefore, recommends that Section 1 of Committee Substitute for House Bill No. 170 (HESS), lines 12-18, be amended to read:

Sec. 23.40.075. APPLICABILITY. AS 23.40.070 - 23.40.260 apply to a political subdivision of the state unless the political subdivision has adopted an ordinance substantially similar to AS 23.40.070 - 23.40.260 that permits collective bargaining for its employees with either the right to strike or binding arbitration as the final step in the negotiation process.

The provisions of Committee Substitute for House Bill No. 170 (HESS) would extend the same rights to bargain collectively to all public employees; and decisions as to whether a group of workers would avail themselves of the collective bargaining process would be made by the workers. Presently, such decisions may be arbitrarily made by political subdivisions without any worker participation.

The Department of Labor supports these improvements to the Public Employment Relations Act.

APPROVED:


Jim Sampson, Commissioner
Department of Labor

POSITION PAPER/Department of Labor

STATE OF ALASKA
THE LEGISLATURE

POUCHY - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

H. JUD.

1-13-88

1:30 p.m.

HOUSE COMMITTEE REPORT

(7)

Date referred: 5/5/87

FURTHER REFERRALS:

DATE: 1-13-88

The Judiciary Committee has considered HB 170

"An Act relating to participation of municipalities, school districts, and other political subdivisions under the Public Employment Relations Act and to collective bargaining rights of school district employees."

RECOMMENDS:

- replace with CS HB 170 (Jud) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the Finance Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

SIGNING OTHER RECOMMENDATIONS:

[Signature] (No Rec)

[Signature] (No Rec)

[Signature]
Chairman's signature

Original sponsor: Labor and Commerce
Committee

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 170 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act extending collective bargaining rights to
7 noncertificated school district employees."

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

9 * Section 1. AS 23.40.250(6) is amended to read:

10 (6) "public employee" means any employee of a public em
11 ployer, whether or not in the classified service of the public em
12 ployer, except elected or appointed officials, or teachers employed b
13 [OR NONCERTIFICATED EMPLOYEES OF] school districts;

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5-0724X ✓
Cramer
4/22/87

Original sponsor: Labor & Commerce
Committee

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 170 ()

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act ^{Expanding} relating to collective bargaining rights of
7 noncertificated school district employees."

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

9 * Section 1. AS 23.40.250(6) is amended to read:

10 (6) "public employee" means any employee of a public em-
11 ployer, whether or not in the classified service of the public em-
12 ployer, except elected or appointed officials, or teachers employed by
13 [OR NONCERTIFICATED EMPLOYEES OF] school districts;
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5-0724Z
Cramer
2/16/88

Original sponsor: Labor and Commerce
Committee

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 170 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act extending collective bargaining rights to
7 noncertificated school district employees."

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

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

10 Sec. 14.20.550. NEGOTIATION WITH CERTIFICATED EMPLOYEES. A
11 [EACH CITY, BOROUGH AND REGIONAL] school board [,] shall negotiate
12 with its certificated employees in good faith on matters pertaining to
13 their employment and the fulfillment of their professional duties. A
14 school board shall negotiate in good faith with its noncertificated
15 employees on matters of wages, hours, and other terms and conditions
16 of employment.

17 * Sec. 2. AS 14.20.555 is amended by adding a new subsection to read:

18 (d) Negotiations between the noncertificated employees of the
19 regional educational attendance areas and the respective regional
20 school boards shall be conducted by one team representing all the
21 noncertificated employees and one team representing all the partic-
22 ipating regional school boards. The provisions of (b) and (c) of this
23 section apply to these negotiations.

24 * Sec. 3. AS 14.20.560(a) is amended to read:

25 (a) When a majority of the certificated employees in a school
26 district have designated an educational organization of their own
27 choosing to bargain for them, the organization shall be recognized by
28 the school board as the bargaining agent for all the certificated
29 staff, except superintendents of schools. The membership of a [ANY

1 SUCH] recognized educational organization shall be composed principal-
2 ly of those employed in the teaching profession in Alaska. When a
3 majority of the noncertificated employees in a school district have
4 designated an employee bargaining organization to bargain for them,
5 the school board shall recognize it as the bargaining agent for all of
6 the noncertificated employees.

7 * Sec. 4. AS 14.20.560(b) is amended to read:

8 (b) The organization representing a majority of the certificated
9 or noncertificated employees of a school district shall, upon the
10 request of the school board, submit an affidavit verifying that it
11 does represent a majority of those [THE CERTIFICATED] employees.
12 Recognition of the employee bargaining agency by a school board is
13 valid for one year or a term agreed upon by the two parties to an
14 agreement, unless a majority of those eligible to vote [CERTIFIED
15 STAFF] votes to request the termination of recognition of the employee
16 bargaining agency. The school board is entitled to an affidavit of
17 membership from the employee bargaining agency once each year.

18 * Sec. 5. AS 14.20.560(c) is amended to read:

19 (c) Upon the request of 25 percent of the certificated or non-
20 certificated employees in a district, the school board shall hold,
21 within 20 days, an election by secret ballot of all the certificated
22 or noncertificated employees in order to determine their choice of a
23 bargaining agency. The results of this election are binding for one
24 year.

25 * Sec. 6. AS 14.20.570(b) is amended to read:

26 (b) If the mediation meetings are held during working hours [THE
27 SCHOOL DAY], teachers or noncertificated employees representing an
28 employee bargaining agency shall be released from [CLASSROOM OR OTHER]
29 assigned duties without penalty or loss of pay.

1 * Sec. 7. AS 14.20.590 is amended to read:

2 Sec. 14.20.590. GRIEVANCE PROCEDURES. Negotiations agreements

3 must

4 (1) [EXECUTED AFTER JULY 1, 1975 SHALL] define "grievances"
5 and provide for grievance procedures for the certificated staff or
6 noncertificated employees; the [. THE] grievance procedures shall
7 provide that the final step in the procedure shall be binding arbi-
8 tration; and

9 (2) [. THE NEGOTIATIONS AGREEMENT SHALL] provide a method
10 for the selection of an arbitrator.
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Original sponsor: Labor and Commerce
Committee

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

1 IN THE HOUSE

2

CS FOR HOUSE BILL NO. 170 (HESS)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to participation of political sub-
divisions under the Public Employment Relations Act
and to collective bargaining rights of school
district employees."

7

8

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

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* Section 1. AS 23.40 is amended by adding a new section to read:

10

Sec. 23.40.075. APPLICABILITY. AS 23.40.070 - 23.40.260 apply

11

to a political subdivision of the state unless the political sub-
division

12

13

(1) permits its employees either the right to strike or
binding arbitration as the final step in the negotiation process; or

14

15

(2) did not receive funds from the state under AS 29.60.-

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010 - 29.60.080 or 29.60.350 - 29.60.375 during that fiscal year.

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* Sec. 2. AS 23.40.250(6) is amended to read:

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(6) "public employee" means any employee of a public em-

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ployer, whether or not in the classified service of the public em-
ployer, except elected or appointed officials, or teachers employed by

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[OR NONCERTIFICATED EMPLOYEES OF] school districts;

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* Sec. 3. Section 4, ch. 113, SLA 1972 is repealed.

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1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2

HOUSE BILL NO. 170

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to participation of municipalities,
7 school districts, and other political subdivisions
8 under the Public Employment Relations Act and to
9 collective bargaining rights of school district
10 employees."

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

12 * Section 1. AS 14.20 is amended by adding a new section to read:

13 Sec. 14.20.595. FINAL RESOLUTION OF IMPASSE. If a contract
14 negotiated under AS 14.20.550 - 14.20.610 does not otherwise provide
15 for binding arbitration as a final step to resolve an impasse in
16 negotiations, employees shall have the rights granted to public em-
17 ployees whose services may be interrupted for a limited but not indef-
18 inite period of time under AS 23.40.200.

19 * Sec. 2. AS 23.40 is amended by adding a new section to read:

20 Sec. 23.40.075. APPLICABILITY. AS 23.40.070 - 23.40.260 applies
21 to an organized borough or a political subdivision of the state unless
22 the borough or subdivision has adopted an ordinance that permits
23 collective bargaining for its employees with either the right to
24 strike or binding arbitration as the final step in the negotiation
25 process.

26 * Sec. 3. AS 23.40.250(6) is amended to read:

27 (6) "public employee" means any employee of a public em-
28 ployer, whether or not in the classified service of the public em-
29 ployer, except elected or appointed officials, or teachers employed by

1 [OR NONCERTIFICATED EMPLOYEES OF] school districts;

2 * Sec. 4. Section 4, ch. 113, SLA 1972 is repealed.

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 19, 1988

SUBJECT: CSHB 170 (Judiciary) (Extending collective bargaining rights to noncertificated school district employees)

TO: Representative John Sund, Chairman
Judiciary Committee

FROM: Teresa B. Cramer *IBC*
Legislative Counsel

You have requested an opinion on the effect of sec. 4, ch. 113, SLA 1972, on CSHB 170 (Judiciary). Section 4 states:

This Act [enacting the Public Employment Relations Act] is applicable to organized boroughs and political subdivisions of the state, home rule or otherwise, unless the legislative body of the political subdivision, by ordinance or resolution, rejects having its provisions apply.

The Committee Substitute amends the definition of "public employee" in PERA to include the noncertificated employees of school districts. The definition in its present form specifically excludes them. Under PERA, a public employer is required to participate in collective bargaining with its public employees. Therefore, the Committee Substitute gives noncertificated school district employees collective bargaining rights.

The language in sec. 4 permits a political subdivision of the state to opt out of PERA. Therefore, a school board could adopt an ordinance or resolution rejecting the application of PERA to its noncertificated employees notwithstanding their inclusion in PERA under the committee substitute.

There are limits to a political subdivision's power to reject the application of the PERA. In an early case considering sec. 4, State v. City of Petersburg, 538 P.2d 263 (Alaska 1975), the state supreme court held that the city council of Petersburg could not validly adopt a resolution rejecting the application of PERA to its employees after members of the city council had learned that certain employees were engaged in collective bargaining organizational activity. The court noted, Id. at 267,

The critical point beyond which the right and power of the City to reject the Act become subordinated to the rights of the employees granted by the same legislation must be ascertained. We hold that the analysis must turn on both the substantiality of the organizational activities undertaken by the employees and the extent of the City's awareness of those activities. Prior to becoming aware of substantial organizational activity, the City could have exempted itself from the applicability of the PERA without interfering with the right of the employees to organize. Rejection of the PERA after becoming aware of such activity constitutes a gross and impermissible interference with the employees' freedom to choose which collective bargaining association should represent them.
(Footnote omitted)

In a later case, the court permitted a city to reject the application of PERA even though the city's employees had earlier expressed an interest in membership in a union. In City & Bcr. of Sitka v. International Brotherhood of Electrical Workers, 653 P. 2d 332 (Alaska 1982), Sitka had passed an ordinance in 1973, exempting the municipality from PERA under sec. 4. For many years before the ordinance was considered and passed, the plaintiff union in the case, IBEW, had attempted to have the city recognize it as representing certain city employees. The court upheld the exemption, distinguishing the situation from the Petersburg case by stating that Petersburg is limited to its factual setting. The court noted, Id. at 335, that

there is not evidence in the record of any organizational activities occurring between PERA's effective date, September 5, 1972, and the passage of the exemption ordinance, July 10, 1973. Thus, in contrast to Petersburg, the employees in Sitka were not acting in reliance on rights granted them by PERA.

Representative John Sund, Chairman
Judiciary Committee
Page 3
January 19, 1988

Although it held that Sitka had effectively exempted itself from PERA under sec. 4, the court did find that Sitka had failed to abide by the terms of its city charter and that therefore it would be required to recognize employee organizations under the terms of the charter.

In Anchorage Municipal Employees Assoc. v. Municipality of Anchorage, 618 P.2d 575, (Alaska 1980), considering whether the newly formed Municipality of Anchorage could properly exempt itself from PERA in 1975, more than three years after PERA took effect, the court noted that the exemption option contained in sec. 4 was not limited to a period of time. The court stated, Id. at 579, that the Petersburg decision

does not deprive a newly formed municipality of the option to reject PERA, so long as it does so promptly after its formation and without interfering with the employees' exercise of their established rights.

While sec. 4 does not grant unlimited ability to reject application of the PERA, as long as the legislative body of the municipality or political subdivision acts reasonably promptly after its employees gain collective bargaining rights under PERA and as long as it is not attempting, in adopting the rejection, to interfere with ongoing collective bargaining activity that is based on the PERA rights, the exemption will be upheld.

If I may be of further assistance, please advise.

TBC:gc
WKG1:032

STATE OF ALASKA
THE LEGISLATURE

RECEIVED

JAN 14 1987

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 14, 1988

SUBJECT: Extension of collective bargaining rights to noncertificated employees of school districts (HB 170)

TO: Representative Dave Donley

FROM: Teresa B. Cramer *TBC*
Legislative Counsel

You have asked for an opinion on the effect of amending the definition of "public employee" in the Public Employment Relations Act to remove the exemption for noncertificated employees of school districts. Noncertificated employees of school districts would therefore be included in the definition of "public employee." Under AS 23.40.110, a public employer is required to bargain collectively with public employees who have formed an appropriate bargaining unit. You ask what effect the language contained in sec. 4, ch. 113, SLA 1972, might have on this amendment. The language in sec. 4 permits the legislative body of an organized borough or other political subdivision of the state to adopt an ordinance or resolution rejecting application of FEERA to its employees.

The effect of amending the definition of "public employee" without amending or repealing sec. 4, ch. 113, SLA 1972, is to require political subdivisions to adopt a resolution or ordinance if they do not wish to bargain with noncertificated employees.

If I may be of further assistance, please advise.

TBC:gc
WKG1:025

JAN 18 1988



ALASKA ASSOCIATION OF ELEMENTARY SCHOOL PRINCIPALS
ALASKA ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS
ALASKA ASSOCIATION OF SCHOOL ADMINISTRATORS

• ALASKA COUNCIL OF SCHOOL ADMINISTRATORS •
328 Fourth St., Suite #211 Juneau, Alaska 99801 586-9702

January 15, 1988

The Honorable John Sund, Chairperson
House Judiciary Committee
Pouch V
Juneau, AK 99811

RE: CSHB 170

Dear Representative Sund:

From observing the discussion and action of the committee on HB 170, there seems to be some confusion as to what the intent was and what actually happened.

The basic issue and intent was to allow non-certificated school employees the legal basis for collective bargaining.

Title 23 excludes teachers and non-certificated employees of public schools from this section of State law. Instead, Chapter 14 addresses issues regarding education matters including collective bargaining for certified employees of a school system.

It is our recommendation that all issues pertaining to school employees be addressed under the same Title 14, and that if it is considered in the best interest of non-certificated school employees to have the legal basis for collective bargaining, that it be addressed consistent with certified employees of a school district.

We strongly urge your committee to again amend CSHB170 to reflect this concern.

Sincerely,

Stephen T. McPhetres
Executive Director

STM:clc

cc: Members of Judiciary Committee:
Representative Fran Ulmer
Representative Sam Cotten
Representative Max F. Gruenberg, Jr.
Representative Mike Navarre
Representative Romona L. Barnes
Representative Robin L. Taylor

an agreement reached if requested by either party, but these obligations do not compel either party to agree to a proposal or require the making of a concession;

(2) "election" means a proceeding conducted by the labor relations agency in which the employees in a collective bargaining unit cast a secret ballot for collective bargaining representatives, or for any other purpose specified in secs. 70 - 260 of this chapter;

(3) "labor relations agency" means the state personnel board with regard to the state and employees of the state, and means the Department of Labor with regard to all other public employees and all other public employers;

(4) "organization" means a labor or employees organization of any kind in which employees participate and which exists for the primary purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment and conditions of employment;

(5) "public employee" means any employee of a public employer, whether or not in the classified service of the public employer, except elected or appointed officials or teachers or noncertificated employees of school districts;

(6) "public employer" means the state or a political subdivision of the state, including without limitation, a town, city, borough, district, board of regents, public and quasi-public corporation, housing authority or other authority established by law, and a person designated by the public employer to act in its interest in dealing with public employees;

(7) "terms and conditions of employment" means the hours of employment, the compensation and fringe benefits, and the employer's personnel policies affecting the working conditions of the employees; but does not mean the general policies describing the function and purposes of a public employer.

Sec. 23.40.260. SHORT TITLE. Secs. 70 - 260 of this chapter may be cited as the Public Employment Relations Act.

* Sec. 3. AS 09.43.010 is amended to read:

Sec. 09.43.010. ARBITRATION AGREEMENTS VALID; APPLICATION OF CHAPTER. A written agreement to submit an existing controversy to arbitration or a provision in a written contract to submit to arbitration a subsequent controversy between the parties is valid, enforceable and irrevocable, except upon grounds which exist at law or inequity for the revocation of a contract. However, this chapter does not apply to a labor-management contract unless it is incorporated into the contract by reference or its application provided for by statute.

* Sec. 4. This Act is applicable to organized boroughs and

political subdivisions of the state, home rule or otherwise, unless the legislative body of the political subdivision, by ordinance or resolution, reflects having its provisions apply.

* Sec. 5. AS 23.40.010 is repealed.

"Kosloski Amendment"



PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SUND

NAME: JUDY FERRALL

TITLE:

ADDRESS: BOX 731

CITY: WARD COVE, AK

PHONE: N/R-

BILL NO: HB 170

SUBJECT: COLL. BARGAINING; MUNICIPALITIES/SCHOOLS

MESSAGE: PLEASE SUPPORT HB170 AS WRITTEN. CLASSIFIED EMPLOYERS WOULD GREATLY BENEFIT BY THIS BILL.

ZIP: 99928

①

POMID: 08154339

DATE: 02/10/88

TIME: 15:43:39

LIONAME: KETCHIKAN LIO

COPIES: REPRESENTATIVES

BARNES
COTTEN
GRUENBERG
NAVARRE
TAYLOR
ULMER

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SUND

NAME: JUDY FERRALL

TITLE:

ADDRESS: BOX 731

CITY: WARD COVE, AK

PHONE: N/R-

BILL NO: HB 170

SUBJECT: COLL. BARGAINING; MUNICIPALITIES/SCHOOLS

MESSAGE: PLEASE SUPPORT HB170 AS WRITTEN. CLASSIFIED EMPLOYERS WOULD GREATLY BENEFIT BY THIS BILL.

ZIP: 99928

POMID: 08163018

DATE: 02/10/88

TIME: 16:30:18

LIONAME: KETCHIKAN LIO

COPIES: REPRESENTATIVES

BARNES
COTTEN
GRUENBERG
NAVARRE
TAYLOR
ULMER
BOUCHER
DAVIDSON
DONLEY
ELLS
FURNACE
KOPONEN
MENARD

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SUND

3

NAME: LAVERNE JOHNSON

TITLE:

ADDRESS: 1415 FAIRY CHASM

CITY: KETCHIKAN, AK

PHONE: N/R-

ZIP: 99901

BILL NO: HB 170

SUBJECT: COLL. BARGAINING; MUNICIPALITIES/SCHOOLS

MESSAGE: I BELIEVE NON-CERTIFICATED SCHOOL DISTRICT EMPLOYEES SHOULD HAVE THE OPTION OF COLLECTIVE BARGAINING RIGHTS. I URGE ALL COMMITTEE MEMBERS TO SUPPORT HOUSE BILL 170.

POMID: 08101907

DATE: 02/22/88

TIME: 10:19:07

LIONAME: KETCHIKAN LIO

COPIES: REPRESENTATIVES

BARNES
COTTEN
GRUENBERG
NAVARRE
TAYLOR
ULMER

*This is out
of this committee
Bill passed out
in Senate committee*

Stavi

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SUND

2

NAME: RALPH GREGORY

TITLE:

ADDRESS: BOX 6853

CITY: KETCHIKAN, AK

PHONE: N/R-

ZIP: 99901

BILL NO: HB 170

SUBJECT: COLL. BARGAINING; MUNICIPALITIES/SCHOOLS

MESSAGE: I WOULD LIKE TO ADD MY SUPPORT TO THIS BILL.

POMID: 08102928

DATE: 02/22/88

TIME: 10:29:28

LIONAME: KETCHIKAN LIO

COPIES: REPRESENTATIVES

BARNES
COTTEN
GRUENBERG
NAVARRE
TAYLOR
ULMER

36-3

2/24

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SUND

NAME: LAVERNE JOHNSON
TITLE:
ADDRESS: 1415 FAIRY TASHM
CITY: KETCHIKAN, AK ZIP: 99901
PHONE: N/R-
BILL NO: HB 170
SUBJECT: COLL. BARGAINING; MUNICIPALITIES/SCHOOLS
MESSAGE: PLEASE SUPPORT HB170 AS WRITTEN. THANK YOU.

POMID: 08163337
DATE: 02/10/88
TIME: 16:33:37
LIONAME: KETCHIKAN LIO

COPIES: REPRESENTATIVES

BARNES
COTTEN
GRUENBERG
NAVARRE
TAYLOR
ULMER
BOUCHER
DAVIDSON
DONLEY
ELLIS
FURNACE
KOPONEN
MENARD

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SUND

NAME: BETTY TALLMAN
TITLE:
ADDRESS: RT.1, BOX 1042
CITY: KETCHIKAN, AK ZIP: 99901
PHONE: N/R-
BILL NO: HB 170
SUBJECT: COLL. BARGAINING; MUNICIPALITIES/SCHOOL
MESSAGE: PLEASE SUPPORT HB170 AS WRITTEN.

POMID: 08163440
DATE: 02/10/88
TIME: 16:34:40
LIONAME: KETCHIKAN LIO

COPIES: REPRESENTATIVES

BARNES
COTTEN
GRUENBERG
NAVARRE
TAYLOR
ULMER
BOUCHER
DAVIDSON
DONLEY
ELLIS
FURNACE
KOPONEN
MENARD

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SUND

NAME: ED GAMBELL
 TITLE: MAYOR, CITY OF ANGOON
 ADDRESS: BOX 189
 CITY: ANGOON
 PHONE: N/R-

ZIP: 99820

BILL NO:
 SUBJECT: WELCOME
 MESSAGE: HAPPY NEW YEAR AND WELCOME BACK. ALASKA IS ON THE ROAD TO RECOVERY, AND WE IN ANGOON KNOW THAT THIS LEGISLATURE IS GOING TO MAKE THE BEST DECISIONS TO GET THE STATE MOVING AGAIN.
 I LOOK FORWARD TO WORKING WITH YOU THIS YEAR, AND I WISH YOU ALL OF THE BEST IN THIS LEGISLATIVE SESSION.

MAYOR ED GAMBELL

POMID: 00110904
 DATE: 01/11/88
 TIME: 11:09:04
 LIONAME: JUNEAU LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

ADAMS	BARNES	ABOOD
BOUCHER	BOYER	BINKLEY
BROWN	CATO	COGHILL
COLLINS	COTTEN	DUNCAN
DAVIDSON	DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FRANK	FURNACE	FAIKS
GOLL	GRUENBERG	FANNING
GRUSSENDORF	HANLEY	FISCHER
HERRMANN	HOFFMAN	HALFORD
HUDSON	KOPONEN	HENSLEY
LARSON	MARTIN	JONES
MENARD	MILLER	JOSEPHSON
NAVARRE	PEARCE	KELLY
PETTYJOHN	PHILLIPS	KERTTULA
POURCHOT	RIEGER	RODEY
SHULTZ	SPRINGER	STURGULENSKI
SWACKHAMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SUND

NAME: PHILLIP MYERCHIN
 TITLE:
 ADDRESS: 717 CANYON ROAD
 CITY: KETCHIKAN, ALASKA
 PHONE: 225-8786

ZIP: 99901

BILL NO: HB 170
 SUBJECT: COLL. BARGAINING; MUNICIPALITIES/SCHOOLS
 MESSAGE: PLEASE SUPPORT HOUSE BILL 170 WHICH GIVES SCHOOL DISTRICT EMPLOYEES THE RIGHT TO BARGAIN LABOR CONTRACTS. AS A PUBLIC SCHOOL TEACHER, I KNOW THEY WANT AND NEED THIS LEGISLATION.

POMID: 08114034
 DATE: 01/11/88
 TIME: 11:40:34
 LIONAME: KETCHIKAN LIO

COPIES: REPRESENTATIVES

BARNES
 COTTEN
 GRUENBERG
 NAVARRE
 TAYLOR
 ULMER

keth

copy

- write letter
- 2 copies of John's response
- 1 in ready file
- 1 attached to Phil's letter - subject file
- Enter in Computer or give to Nettie to do!

January 13, 1988

Phillip Myerchin
717 Canyon Road
Ketchikan, Alaska 99901

Dear Mr. Myerchin:

Thank you for your public opinion message regarding House Bill 170, which would provide collective bargaining rights for noncertificated employees of school districts. I support the bill as it corrects a long-standing inequity.

This legislation came to the House Judiciary Committee, which I chair, at the very end of last session and we did not get the chance to address it. I scheduled it for hearing at the first meeting of the Committee this year, and we have moved the bill out of committee with a "do pass" recommendation.

I will support the bill when it gets to the House floor, and will do what I can to see that it makes it through the Senate as well.

Thanks again for writing. Please let me know if there is anything else I can do.

Sincerely,

John Sund
Representatives

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SUND

NAME: SARAH MEUNIER
TITLE:
ADDRESS: PO BX 2732
CITY: KODIAK ZIP: 99615
PHONE: 486-3342
BILL NO: HB 170
SUBJECT: COLL. BARGAINING; MUNICIPALITIES/SCHOOLS
MESSAGE: PLEASE SUPPORT HB 170. THIS BILL WILL ALLOW SCHOOL CLASSIFIED
EMPLOYEES TO NEGOTIATE FOR COST OF LIVING AND STEP INCREASES IN
OUR JOBS. WE HAVE NOT HAD A RAISE FOR 2 YEARS, HOWEVER OUR LIVING
EXPENSES HAVE GONE UP EACH YEAR.

POMID: 09141827
DATE: 01/12/88
TIME: 14:18:27
LIONAME: KODIAK LIO

COPIES: REPRESENTATIVES SENATOR

BARNES ZHAROFF
COTTEN
GRUENBERG
NAVARRE
TAYLOR
ULMER
BOUCHER
DAVIDSON
DONLEY
ELLIS
FURNACE
KOPONEN
MENARD

NO RESPONSE REQUIRED

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SUND

NAME: LINDA S. BROWN
TITLE:
ADDRESS: PO BX 3135
CITY: KODIAK ZIP: 99615
PHONE: 486-4152
BILL NO: HB 170
SUBJECT: COLL. BARGAINING; MUNICIPALITIES/SCHOOLS
MESSAGE: PLEASE TAKE THE TIME TO SUPPORT HB170. THIS BILL WOULD ALLOW THE
EMPLOYEES TO NEGOTIATE FOR C.O.L.A. AND STEP INCREASES THAT I FEEL
WE DESERVE. WE HAVE NOT HAD A RAISE IN TWO YEARS AND WE ARE PAYING
PARTIAL INSURANCE AND NEA DUES NOW. THANK YOU.

POMID: 09142328
DATE: 01/12/88
TIME: 14:23:28
LIONAME: KODIAK LIO

COPIES: REPRESENTATIVES SENATOR

BARNES ZHAROFF
COTTEN
GRUENBERG
NAVARRE
TAYLOR
ULMER
BOUCHER
DAVIDSON
DONLEY
ELLIS
FURNACE
KOPONEN
MENARD

NO RESPONSE REQUIRED

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SUND

NAME: JEAN ERICKSON
TITLE:
ADDRESS: P.O. BOX 55165
CITY: NORTH POLE, AK ZIP: 99705
PHONE: 488-6244
BILL NO: HB 170
SUBJECT: COLL. BARGAINING; MUNICIPALITIES/SCHOOLS
MESSAGE: PLEASE SUPPORT HB 170, BARGAINING IS ESSENTIAL.

POMID: 07101132
DATE: 01/12/88
TIME: 10:11:32
LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES

ULMER
COTTEN
GRUSSENDORF
NAVARRE
BARNES
TAYLOR

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SUND

NAME: VERNA SWANSON
TITLE: CLASSIFIED EMPLOYEE
ADDRESS: BOX 2666
CITY: KODIAK ZIP: 99615
PHONE: 486-3351
BILL NO: HB 170
SUBJECT: COLL. BARGAINING; MUNICIPALITIES/SCHOOLS
MESSAGE: AS A CLASSIFIED EMPLOYEE, I SUPPORT HB170. ALL EMPLOYEES DESERVE THE RIGHT TO FAIRNESS. WORKERS ATTITUDES AND JOB PERFORMANCES IMPROVE WHEN THEY HAVE THE SECURITY OF A CONTRACT AND A VOICE IN THE ARBITRATION PROCESS. THANKS FOR HELPING US RETAIN THOSE RIGHTS.

POMID: 09132555
DATE: 01/12/88
TIME: 13:25:55
LIONAME: KODIAK LIO

COPIES: REPRESENTATIVES SENATOR

BARNES ZHAROFF
COTTEN
GRUENBERG
NAVARRE
TAYLOR
ULMER
BOUCHER
DAVIDSON
DONLEY
ELLIS
FURNACE
KOPONEN
MENARD

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SUND

NAME: CLAUDIA DOUGLAS
TITLE:
ADDRESS: P.O. BOX 74837
CITY: FAIRBANKS ZIP: 99707
PHONE: 456-4435
BILL NO: HB 170
SUBJECT: COLL. BARGAINING; MUNICIPALITIES/SCHOOLS
MESSAGE: I URGE YOU TO SUPPORT HB170 WHICH WOULD GIVE THE FAIRBANKS
NORTH STAR BOROUGH SCHOOL DISTRICT CLASSIFIED PERSONNEL THE RIGHT TO
ARGAIN. THIS IS THE ONLY FAIR WAY TO SUPPORT THIS GROUP OF PUBLIC
EMPLOYEES. THANK YOU.

POMID: 07140923
DATE: 01/12/88
TIME: 14:09:23
LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES

BARNES
COTTEN
GRUENBERG
NAVARRE
TAYLOR
ULMER

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SUND

NAME: BERTHA MALUTIN
TITLE:
ADDRESS: PO BX 525
CITY: KODIAK ZIP: 99615
PHONE: 486-3681
BILL NO: HB 170
SUBJECT: COLL. BARGAINING; MUNICIPALITIES/SCHOOLS
MESSAGE: THIS IS AMERICA. ALL ALASKAN'S SHOULD HAVE THE SAME RIGHTS. I THINK
IT IS VERY IMPORTANT TO BE ABLE TO STRIKE AND OR HAVE BINDING
ARBITRATIONS IF NECESSARY FOR ALL PUBLIC EMPLOYEE'S.

POMID: 09141122
DATE: 01/12/88
TIME: 14:11:22
LIONAME: KODIAK LIO

COPIES: REPRESENTATIVES SENATOR

BARNES ZHAROFF
COTTEN
GRUENBERG
NAVARRE
TAYLOR
ULMER
BOUCHER
DAVIDSON
DONLEY
ELLIS
FURNACE
KOPONEN
MENARD

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SUND

NAME: DAPHNE HOFSCHULTE
TITLE: TEACHER, FNSB SCHOOL DISTRICT
ADDRESS: P.O. BOX 55226
CITY: NORTH POLE, AK ZIP: 99705
PHONE: 488-2251
BILL NO: HB 170
SUBJECT: COLL. BARGAINING; MUNICIPALITIES/SCHOOLS
MESSAGE: WHEN TIMES ARE TOUGH, ALL SCHOOL DISTRICT EMPLOYEES NEED A VOICE
IN BARGAINING JUST TO BE ABLE TO SURVIVE. PLEASE SUPPORT HB 170.

POMID: 07080129
DATE: 01/12/88
TIME: 08:01:29
LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES

BARNES
COTTEN
GRUENBERG
NAVARRE
TAYLOR
ULMER

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SUND

NAME: DON OBERG
TITLE:
ADDRESS: BOX 1084
CITY: KENAI ZIP: 99611
PHONE: N/R-
BILL NO: HB 130
SUBJECT: LABOR NEGOTIATIONS BY EDUCATION EMPLOYEES
MESSAGE: I URGE YOU TO SUPPORT THIS, IT'S GOOD PUBLIC POLICY.

POMID: 13082726
DATE: 01/12/88
TIME: 08:27:26
LIONAME: SOLDOTNA LIC

COPIES: REPRESENTATIVES


BARNES
COTTEN
GRUENBERG
NAVARRE
TAYLOR
ULMER

Alaska MUNICIPAL League

TELEPHONE
(907) 586-1325

105 MUNICIPAL WAY, SUITE 301
JUNEAU, ALASKA 99801

TO: Representative John Sund, Chairman
Members of House Judiciary Committee

FROM: Scott A. Burgess, Executive Director 
Alaska Municipal League

DATE: January 13, 1988

SUBJECT: HB 170 - Collective Bargaining; Municipalities/Schools

The Alaska Municipal League, on behalf of its 135 member municipalities, is opposed to HB 170 removing the exemption for municipalities from the Public Employees Relocations Act (PERA) and requiring that municipalities and school districts grant their employees the right to strike or submit to binding arbitration.

I have attached a copy of the testimony presented to the House Labor and Commerce Committee hearing on HB 170 during the First Session. The AML Policy Statement language opposing mandatory compliance with PERA and binding arbitration referred to in the written testimony was reaffirmed at the annual conference in Anchorage last November and remains unchanged.

To summarize, binding arbitration is not required for effective collective bargaining. In fact, arguments can be made that it circumvents the process of fair and reasonable negotiation. Many municipalities provide for collective bargaining but retaining the fiscal responsibility in the hands of the elected body is critical to financial management. Finally, public employees have recourse to address their concerns through their elected officials, the electoral process, and the initiative and relocation process.

Again, Alaska Municipal League opposes HB 170.

SAB:rw

Attachment

Alaska MUNICIPAL League

TELEPHONE
(907) 586-1325

105 MUNICIPAL WAY, SUITE 301
JUNEAU, ALASKA 99801

TO: Representative Dave Donley, Chair
Members of the House Labor and Commerce Committee

FROM: Scott A. Burgess, Executive Director *SAB*

DATE: March 19, 1987

SUBJECT: HB 170 - Mandatory PERA for Municipalities and School Districts

The Alaska Municipal League is opposed to HB 170 based on the language cited below from the AML 1987 Policy Statement (page 22), adopted by the membership at the 1986 annual meeting in Juneau in November:

"Alaska Public Employees Labor Relations Act: The League strongly opposes any legislation which would force municipalities to be subject to the provisions of the Alaska Public Employees Labor Relations Act. The League opposes, just as strongly, any legislative efforts to dictate the provisions of local public employees labor relations ordinances. The League supports legislation to allow each municipality at any time to reject or withdraw from the terms of the Alaska Public Employees Relations Act."

"Binding Arbitration: The League opposes legislation imposing binding arbitration on local governments and school districts. Binding arbitration hinders local elected officials' ability to determine their personnel costs and prevents local governments from having complete control of determining the local tax rate. The scope of decisions with regard to what local government can afford for labor is best left to the local bodies possessing that knowledge."

These are long-standing policies of the AML. Legislation similar to this have been introduced into the Alaska State Legislature perennially, and the AML and its over 120 municipal members have opposed it each time. The concern and opposition by local governments to mandating participation in PERA, and thereby requiring the ability to strike or binding arbitration as a final step in the negotiating process for municipal employees and teachers, only increases as salaries and benefits have increased. Many of the increases in benefits, at least, have resulted from action by the Legislature, and over which the municipalities have no control. The potential limits on local officials' ability to control their budgets presented by HB 170 is an even greater concern when federal and state assistance to municipalities continues to decrease and municipalities have had to increase taxes and/or reduce services.

AML Testimony on HB 170
March 19, 1987
Page 2

I have attached a copy of a letter received this year from the City of Wrangell stating their opposition to HB 170. Additional correspondence in opposition to similar legislation, proposed in the past, is also available to the Committee, if requested. I have also attached position papers on mandatory PERA for local employees and on binding arbitration for teachers developed by the AML Legislative Committee last year for similar legislation. Finally, I have summarized below some of the major reasons for the local governments' opposition to the legislation for the Committee:

1. Municipalities are opposed, generally, to State mandates on local governments which remove local control and increase cost without remuneration by the State.
2. Mandating PERA, or the adoption of ordinances with the same effect, removes the power of the elected representatives at the local level to set policy and budgets by balancing the resources and needs of the whole community rather than one segment - public employees.
3. Public employees and teachers have recourse through their elected officials on the city council or borough assembly or school boards to address specific concerns, or to influence voters to elect representatives who are more sympathetic to their positions
4. Public employees can put collective bargaining before the local voters and the assembly or council through the initiative and referendum process.
5. The public sector is different from the private sector in terms of the services provided, civil service protections, and their access to, and the responsibility of, the elected officials.
6. Many municipalities provide for collective bargaining but the final agreement as to terms and conditions of employment, including salaries is subject to approval of the city council or the school board.

The League strongly opposes HB 170. Thank you.

Attachment

Position Paper
of
AML Legislative
Subcommittee on Education
March 1986

RE: Proposed Legislation Relating to Local Governments
and Alaska Public Employees Labor Relations Act.

The 1986 Alaska Municipal League Policy, Part VIII, Local Government Powers, Section B(1), Alaska Public Employees Relations Act states "the League strongly opposes any legislation which would force municipalities to be subject to the provisions of the Alaska Public Employees Labor Relations Act. In addition, the League opposes just as strongly, any legislative efforts to dictate the provisions of local public employees labor relations ordinances. The League supports legislation to allow each municipality at anytime to reject or withdraw from the terms of the Alaska Public Employees Relation Act." In addition, Section B(2) states, that the League also opposes any legislation which forces municipalities to develop collective bargaining procedures ending in strike or binding arbitration. The following is in support of the League position:

1. Binding arbitration/PERA limits the authority of the Council/Assembly. If wages are set by binding arbitrator, the Council/Assembly has to work any arbitration wage increases into the budget. If it is necessary to make cuts, cuts must be made in areas other than the arbitrated wages. The Council/Assembly would no longer have the authority to determine wages or control budgets.
2. Arbitrators tend to be from outside and do not have to deal with the overall budget or raise the funds to finance employee costs.
3. Municipal employees do have recourse -- the election process. They can influence voters to elect Council/Assembly members supportive of their positions. Also, employees still have the right to form employee organizations.
4. Each municipality is unique and should be allowed to handle collective bargaining in a manner that fits the community. Large communities have employee circumstances that are very different from small, and rural is different than urban. In addition, most of our local governments in Alaska are small, population under 1000, and there are not many staff members in any one category. This makes collective bargaining extremely impractical.
5. The provisions of PERA or binding arbitration are costly. There is the cost of the negotiation process itself. Municipalities in general do not have excess staff or staff time to prepare bargaining positions. Cost of hiring a negotiator is beyond most local budgets.

6. Government wages in Alaska tend to exceed those of private business and industry. Therefore, employees seem to be doing well without the added regulation.
7. In a time of funding cutbacks, increasing the cost of government doing business does not make much sense.
8. In regard to strikes, if a strike provision would ever be required, the municipality as an employer should have the same options that exist in private industry; for example, the employer (the municipality) should be able to continue services and hire others if employees strike.

In the end, it is, of course, the taxpayer who must bear any financial burden. The taxpayer now has control through the election process. With binding arbitration, the taxpayer gives up this control to the employee and arbitrator.

CITY of WRANGELL, ALASKA

INCORPORATED JUNE 15, 1903

BOX 531, 99929 (907) 874-2381



ADOPTED AUGUST 1972

March 13, 1987

Representative John Sund
Chairman, House Judiciary
Alaska State Legislature
Pouch V
Juneau, AK 99811

Re: House Bill No. 170 relating to
PERA, Right to Strike or Binding Arbitration

Dear Sir:

The City of Wrangell is strongly opposed to House Bill No. 170. As written, the Bill would bring municipalities under the State Public Employment Relations Act (PERA) unless a local ordinance was enacted to permit collective bargaining with the right to strike or binding arbitration as the final step in the negotiation process. It also adds the right to strike for teachers if their contract does not provide for binding arbitration.

In 1972, the Legislature recognized the financial impact PERA could have on municipalities, as well as the need for local control, and provided that we could opt out of the Act by adoption of a Resolution or Ordinance. Recognizing the economic and social impact the Act could have on services provided to the public, the Wrangell City Council did opt out of the Act in the best interests of the taxpayers.

The Wrangell city employees are currently receiving wages and benefits that match or exceed those received by the private major industry employees in our community. We need not remind you that the non-governmental employees in our community are the very taxpayer that must bear the burden of government wages and benefits. While it is recognized that public employees received greater benefits than private employees for many years due to their lower wages, this is no longer true. In many cases (if not most) public employees far exceed private employees in both benefits and wages. The State, in fact, has several employees that receive a higher annual salary than the Governor, some of which were achieved through PERA.

The threat of strike or binding arbitration would place an unfair burden on local government. Unlike private industry, a government employee strike can effect the health and welfare of an entire community

CITY OF WRANGELL, ALASKA

Representative John Sund
March 13, 1987
Page Two

by reducing or completely stopping public services. Binding arbitration can take away the City Council's ability to set the mill levy and utility rates in a reasonable, equitable manner for all of the residents.

A greater burden is already being shifted to the local taxpayers through reductions in State funding and loss of Federal Shared Revenue. A Bill is now before you that repeals the senior citizen/disabled veteran property tax exemption and forces the local taxpayer to absorb the loss or turn their back on so many seniors living on limited incomes needing this exemption.

We urge defeat of House Bill No. 170 Which will only place a greater burden on local taxpayers.

Sincerely,



Joyce Rasler
City Manager

JR:fv

cc: Representative Robin Taylor
Senator Lloyd Jones
Alaska Municipal League
Wrangell City Council
Wrangell School Board

TESTIMONY BEFORE THE HOUSE JUDICIARY COMMITTEE
IN SUPPORT
OF
H. B. 170

January 13, 1988

The legislature, in passing the Public Employment Relations Act, recognized the right of public employees to organize for the purpose of collective bargaining. In so doing, the legislature found that the enactment of positive legislation establishing the guidelines for public employment relations is the best way to harness and direct the energies of public employees eager to have a voice in determining their conditions of work, to provide a rational method for dealing with disputes and work stoppages, and to maintain a favorable political and social environment.

The policies are to be affected by:

- 1) recognizing the right of public employees to organize for the purpose of collective bargaining;
- 2) requiring public employees to negotiate with and enter into written agreements with employee organizations on matters of wages, hours and other terms and conditions of employment.

Although it is the public policy of the State of Alaska to promote harmonious and cooperative relations between government and its employees, non-certificated school district employees have not been included in this legislative intent. 4500 to 5000 non-certificated school district employees do not enjoy the same rights afforded most other public employees in the State of Alaska. The passage of H.B. 170 by this august body and subsequently the Senate (barring no gubernatorial veto) would give this group of employees equity with other public employees throughout the State of Alaska.

Joint decision-making has been found to raise employee responsiveness and morale. It provides for a better exchange of ideas and information. The establishment of guidelines for employer-employee relations is highly necessary in order to achieve equality at the negotiations table and to provide a method for dealing with disputes arising from representative elections, collective bargaining, and administration of the negotiated agreement. H.B. 170 will achieve these objectives.

This legislation will provide a basis for orderly, equitable and sensible resolution of the basic and subsidiary issues raised in a dispute over representation. These can be especially delicate in situations where there are two or more organizations competing for status as the negotiated representative and the school board finds itself in the middle.

If the representative election is truly to reflect non-certificated school district employees' free choice, and if the system of collective negotiations is conducted properly, it is essential that the rights of non-certificated school district employees to organize, to participate in collective negotiations through a representative of their own choosing, and to engage in activities related to the negotiation process be guaranteed by statute. Abridgement by denial of permanent job status, discriminatory transfers, adverse performance ratings, and all other repressive devices, sometimes resorted to by employers in the exercise of power over their employees, are injustices which must be remedied and those employee rights protected. Again, H.B. 170 will meet these needs.

More specifically, and speaking to the above, non-certificated school district employees feel strongly the need for mandatory recognition of their organizations. The following reasons address the need:

1. Status of current recognition is tenuous at best without a mandatory provision of law.
2. Lack of equality at the bargaining table due to absence of guidelines as to what is "good faith" bargaining.
3. No labor relations agency to which to turn for the purpose of resolving disputes over collective bargaining or organizational representation.
4. Inability to enforce provisions of the negotiated agreement in critical situations.

In summary, non-certificated school district employees are seeking inclusion under the Public Employment Relations Act for the purpose of securing equality at the bargaining table, equity with other public employees (including teachers), enforceable contract administration, and providing finality to the collective bargaining process, either through the right to strike or binding arbitration.

Bill No. House Bill 170

Date March 19, 1967

Title "An Act relating to participation of municipalities, school districts, and other political subdivisions under the Public Employment Relations Act and to collective bargaining rights of school district employees."

Contact: Tom Stuart
465-4370

Eileen Plate
465-2700

House Bill 170 proposes several changes to Alaska's laws which relate to collective bargaining rights of public employees.

Specifically, House Bill 170:

1. Extends to teachers the same rights to strike as is afforded other public employees, if their contracts do not provide for binding arbitration as a final step in the negotiating process;
2. Strengthens the Public Employment Relations Act by permitting political subdivisions to opt not to be covered by the Act only if they have an ordinance which permits collective bargaining with either the right to strike or binding arbitration as a final step in the negotiating process. Currently political subdivisions which do not permit collective bargaining may opt not to be covered by the Public Employment Relations Act; and
3. Extends coverage under the Public Employment Relations Act to non-certificated school employees. These non-certificated employees are not presently covered by the Act.

Presently there are approximately 30,600 local government employees in Alaska. Of this number:

- 3300 are currently covered by the Public Employment Relations Act (City of Fairbanks, Fairbanks North Star Borough, Petersburg, City of Ketchikan, and Unalaska)
- 10,750 are covered by municipal labor relations agencies under local ordinances, (Anchorage and the City and Borough of Juneau)
- 4500 are covered by a loose knit form of representation with the employer's consent, but are not covered by the state's labor relations agency or a municipal labor relations agency). (Kenai Peninsula Borough, City and Borough of Kodiak, Valdez/Cordova, and the Mat-Su Borough)

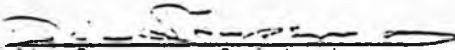
Approximately 3,050 of the remaining 11,050 employees are employees of larger municipalities or organized boroughs which presently do not have any representation, but likely would opt for local control if the provisions of this bill are enacted. An additional 9,000 public employees would, therefore, be covered by the Public Employment Relations Act, and the Department of Labor, as the Labor Relations Agency, would provide services to them.

POSITION PAPER/Department of Labor

The provisions of House Bill 170 would extend the same rights to bargain collectively to all public employees; and decisions as to whether a group of workers would avail themselves of the collective bargaining process would be made by the workers. Presently, such decisions may be arbitrarily made by political subdivisions without any worker participation.

The Department of Labor supports the provisions of House Bill 170.

APPROVED:


Jim Sampson, Commissioner
Department of Labor

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "Al. act relating to the Public
Employment Relations Act."
Sponsor: Labor and Commerce Committee
Requestor: House Judiciary

Agency Affected: Labor
BRU: Labor Standards and Safety
Components: Wage and Hour

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		43.6	43.6	43.6	43.6	43.6
TRAVEL		11.0	11.7	8.0	8.2	8.4
CONTRACTUAL		25.9	26.6	16.8	17.3	17.8
SUPPLIES		.7	.7	.8	.8	.8
EQUIPMENT		1.6	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	82.8	82.6	69.2	69.9	70.6
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		82.8	82.6	69.2	69.9	70.6
FEDERAL FUNDS						
OTHER						
TOTAL	0	82.8	82.6	69.2	69.9	70.6

POSITIONS:

FULL-TIME	0	1	1	1	1	1
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

(See attached)

Prepared by: Tom Stuart, Director
Division: Labor Standards and Safety
Approved by Commissioner: Jim Sampson
Agency: Labor

Phone: 264-2452
Date: 1/14/88
Date: 1/14/88

Distribution (by preparer) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

FISCAL NOTE ANALYSIS
For CSHB 170 (Jud)

Under the provisions of this bill one new position, a Wage and Hour Investigator I located in Anchorage, will be necessary to handle the increase in workload. Additionally, a contractual hearing officer will be required to perform adjudication functions when necessary. The anticipated costs for the first two years are summarized as follows:

	<u>FY 89</u>	<u>FY 90</u>
<u>Personnel Services</u>		
One new employee	43.6	43.6
<u>Travel</u>		
New Wage & Hour Investigator	7.5	7.7
Contractual Hearing Officers	3.5	4.0
	-----	-----
Subtotal	11.0	11.7
<u>Contractual Services</u>		
Hearing Officer	10.0	10.3
Printing	1.5	1.5
Transcription Services	3.0	3.1
Rent	3.2	3.3
Indirect	4.2	4.3
Miscellaneous	4.0	4.1
	-----	-----
Subtotal	25.9	26.6
<u>Commodities</u>	.7	.7
<u>Equipment</u>	1.6	-0-
	-----	-----
TOTAL:	82.8	82.6

After the first two years we anticipate most of the organizational activities in the communities will be complete. Thus, in FY 91 and beyond the program should be able to be handled by the new position. The hearing officers and related costs would then be eliminated.

Assumptions:

- 1) An effective date of July 1, 1988.
- 2) Inflation of 3% per year in FY's 90-93 in non-personal service items.

Position Title Wage and Hour Investigator		No. of Positions 1	Range/Step 16A	Barg. Unit GGU
Time Status PFT	Staff Months 12	Location Anchorage		Election District
Type of Expenditure		Justification		
1	2	3		
Salary	32,424	<p>This position will perform a variety of labor relations duties. The person will investigate petitions for collective bargaining, investigate complaints of unfair labor practice, provide informal resolution to unfair labor practice complaints, and investigate challenges to elections. The position will also conduct elections, certify elections, and provide education and information on the Public Employment Relations Act to employees and employers.</p> <p>Travel costs are for travel to the various locations around the State where public employee labor relations activity would be required.</p> <p>Contractual and commodity costs are average per-employee costs. Equipment would be a one-time expense for desk, chair, cabinets, etc.</p>		
Benefits	11,211			
Premium Pay				
Other				
Total Personal Services	43,635			
Travel	7,500			
Contractual	15,900			
Commodities	700			
Equipment	1,600			
Other				
Total Cost	69,335			
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	69,335		
GF Program Receipts	1005			
Other				

**Request For
New Position**

Agency Labor
 BRU Labor Standards and Safety
 Component Wage and Hour

Page 3 of 3
 Revised Date

FY 89

BILL: HB 170

12:55 PM 01/06/88

NAME:

TITLE: "AN ACT RELAYING TO PARTICIPATION OF MUNICIPALITIES,
SCHOOL DISTRICTS, AND OTHER POLITICAL SUBDIVISIONS
UNDER THE PUBLIC EMPLOYMENT RELATIONS ACT AND TO
COLLECTIVE BARGAINING RIGHTS OF SCHOOL DISTRICT
EMPLOYEES."

PRIME SPONSOR: LABOR & COMMERCE COMMITTE

CURRENT STATUS: (H) JUD

STATUS DATE: 05/05/87

03/06/87	(H)	416	READ THE FIRST TIME - REFERRAL(S)
03/06/87	(H)	416	LABOR & COMMERCE, HESS, JUDICIARY
03/20/87	(H)	577	L&C RPT 6DP 1NR
03/20/87	(H)	577	FISCAL NOTE PUBLISHED 3/20/87
03/20/87	(H)	577	ZERO FISCAL NOTE PUBLISHED 3/20/87
05/05/87	(H)	1139	HES RPT CS(HESS) NEW TITLE 4DP 2DNF 1NR
05/05/87	(H)	1139	REFERRED TO JUDICIARY

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An Act Relating To... The
Public Employment Relations Act."
Sponsor: Labor and Commerce Committee
Requestor: House-Judiciary

Agency Affected: Labor
BRU: Labor Standards and Safety
Components: Wage and Hour

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		43.6	43.6	43.6	43.6	43.6
TRAVEL		11.0	11.7	8.0	8.2	8.4
CONTRACTUAL		25.9	26.6	16.8	17.3	17.8
SUPPLIES		7	7	8	8	8
EQUIPMENT		1.6	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	82.8	82.6	69.2	69.9	70.6

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	82.8	82.6	69.2	69.9	70.6
FEDERAL FUNDS						
OTHER						
TOTAL	0	82.8	82.6	69.2	69.9	70.6

POSITIONS:

FULL-TIME	0	2	2	2	2	2
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Tom Stuart, Director Phone: 264-2452
Division: Labor Standards and Safety Date: 1/12/88

Approved by Commissioner: Jim Sampson Date: 1/12/88
Agency: Labor

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

FISCAL NOTE ANALYSIS
For CSHB 170 (HESS)

Under the provisions of this bill one new position, a Wage and Hour Investigator I located in Anchorage, will be necessary to handle the increase in workload. Additionally, a contractual hearing officer will be required to perform adjudication functions when necessary. The anticipated costs for the first two years are summarized as follows:

	<u>FY 89</u>	<u>FY 90</u>
<u>Personnel Services</u>		
One new employee	43.6	43.6
 <u>Travel</u>		
New Wage & Hour Investigator	7.5	7.7
Contractual Hearing Officers	3.5	4.0
	----	----
Subtotal	11.0	11.7
 <u>Contractual Services</u>		
Hearing Officer	10.0	10.3
Printing	1.5	1.5
Transcription Services	3.0	3.1
Rent	3.2	3.3
Indirect	4.2	4.3
Miscellaneous	4.0	4.1
	----	----
Subtotal	25.9	26.6
 <u>Commodities</u>	.7	.7
 <u>Equipment</u>	1.6	-0-
	----	----
TOTAL:	82.8	82.6

After the first two years we anticipate most of the organizational activities in the communities will be complete. Thus, in FY 91 and beyond the program should be able to be handled by the new position. The hearing officers and related costs would then be eliminated.

Assumptions:

- 1) An effective date of July 1, 1988.
- 2) Inflation of 3% per year in FY's 90-93 in non-personal service items.

Position Title Wage and Hour Investigator		No. of Positions 1	Range/Step 16A	Barg. Unit GGU
Time Status PFT	Staff Months 12	Location Anchorage		Election District
Type of Expenditure		Justification		
1	2	3		
Salary	32,424	<p>This position will perform a variety of labor relations duties. The person will investigate petitions for collective bargaining, investigate complaints of unfair labor practice, provide informal resolution to unfair labor practice complaints, and investigate challenges to elections. The position will also conduct elections, certify elections, and provide education and information on the Public Employment Relations Act to employees and employers.</p> <p>Travel costs are for travel to the various locations around the State where public employee labor relations activity would be required.</p> <p>Contractual and commodity costs are average per-employee costs. Equipment would be a one-time expense for desk, chair, cabinets, etc.</p>		
Benefits	11,211			
Premium Pay				
Other				
Total Personal Services	43,635			
Travel	7,500			
Contractual	15,900			
Commodities	700			
Equipment	1,600			
Other				
Total Cost	69,335			
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	69,335		
GF Program Receipts	1005			
Other				

**Request For
New Position**

Agency Labor
 BRU Labor Standards and Safety
 Component Wage and Hour

Page 3 of 3
 Revised Date

FY 89

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

Bill Version: CSHB 170 (HESS)
Publish Date: _____

REQUEST: _____

Revision Date: _____
Title: "An Act relating to...the
Public Employment Relations Act."
Sponsor: Labor and Commerce Committee
Requestor: House (HESS)

Agency Affected: Labor
BRU: Labor Standards and Safety

Components: Wage and Hour

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		67.6	67.6	67.6	67.6	67.6
TRAVEL		12.5	12.9	8.0	8.2	8.5
CONTRACTUAL		42.8	44.1	33.8	34.8	35.9
SUPPLIES		1.4	1.4	1.5	1.5	1.6
EQUIPMENT		3.2	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	127.5	126.0	110.9	112.1	113.6

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		127.5	126.0	110.9	112.1	113.6
FEDERAL FUNDS						
OTHER						
TOTAL	0	127.5	126.0	110.9	112.1	113.6

POSITIONS:

FULL-TIME	0	2	2	2	2	2
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

See attached

Prepared by: Tom Stuart, Director
Division: Labor Standards and Safety

Phone: 465-4870
Date: 5/04/87

Approved by Commissioner: Jim Sampson
Agency: Labor

Date: 5/04/87

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

FISCAL NOTE ANALYSIS
For CSHB 170(HESS)

Under the provisions of this bill the department would be required to provide labor relations services to approximately 9,000 local government employees under the Public Employment Relations Act (PERA). Two new positions, a Wage and Hour Investigator I and Clerk Typist III, both located in Anchorage, would be necessary to handle the increase in workload. Additionally, a contractual hearing officer would be required to perform adjudication functions when necessary. The anticipated costs for the first two years are summarized as follows:

	<u>FY 88</u>	<u>FY 89</u>
<u>Personnel Services</u>		
Two new employees	67.6	67.6
<u>Travel</u>		
New Wage & Hour Investigator	7.5	7.7
Contractual Hearing Officers	<u>5.0</u>	<u>5.2</u>
S/T	12.5	12.9
<u>Contractual Services</u>		
Hearing Officer	10.0	10.3
Printing	5.6	5.8
Transcription Service	3.0	3.1
Legal Services	2.0	2.1
Rent	6.4	6.5
Indirect	6.8	7.0
Miscellaneous	<u>9.0</u>	<u>9.3</u>
S/T	42.8	44.1
<u>Commodities</u>	1.4	1.4
<u>Equipment</u>	<u>3.2</u>	<u>-0-</u>
TOTAL:	127.5	126.0

After the first two years we anticipate most of the organizational activity in the communities will be complete. Thus, in FY 90 and beyond the program should be able to be handled by the two new positions. The hearing officers and related costs would then be eliminated.

Assumptions:

- 1) Of approximately 30,600 local government employees in Alaska, 21,600 are currently covered by some form of collective bargaining and would fall within the group currently covered by the Public Employment Relations Act or work for an employer who would most likely opt for a local ordinance. This leaves approximately 9,000 employees in the state for the department's Labor Relations Agency to oversee. These employees are predominantly in the rural areas of the State.
- 2) An effective date of July 1, 1987.
- 3) Inflation of 3% per year in FY's 89-92 in non-personal service items.

Position Title Clerk Typist III			No. of Positions 1	Range/Step 8A	Barg. Unit GGU	Gov.	Approv.	Disapp.
Time Status PFT	Staff Months 12	RP Number	Location Anchorage		Election District	Leg.		
Type of Expenditure			Justification					
Amount			<p>This position will function as the clerical member of the Department of Labor's Labor Relations Agency. The position will be responsible for preparing and typing correspondence, and maintaining collective bargaining records as they apply to petitions, certification/decertification of bargaining units, and complaints of unfair labor practices. Also, the position will act as recorder for the Labor Relations Agency/ Board during board proceedings.</p> <p>Costs associated with this position are average per-position costs, plus one-time equipment expense of \$1,600 for a desk, chair, etc.</p>					
1	2	3						
Salary	19,572							
Benefits	5,872							
Premium Pay								
Other								
Total Personal Services		25,444						
Travel		0						
Contractual		15,544						
Commodities		700						
Equipment		1,600						
Other								
Total Cost		43,288						
Receipt Code	Funding Source							
	Federal Receipts 1002							
	G. F. Match 1003							
	General Funds 1004		43,288					
	I-A Receipts 1005							
	Program Receipts 1028							
	CIP Receipts 1061							
	Other							
For B&M Use Only								
Key Number								

**Request For
New Position**

Agency Labor
 BRU Labor Standards and Safety
 Component Wage and Hour

FY 87

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 Revised Date

Position Title Wage and Hour Investigator			No. of Positions 1	Range/Step 16A	Barg. Unit GGU	Gov.	Approved	Disapp.
Time Status PFT	Staff Months 12	RP Number	Location Anchorage		Election District	Leg.		
Type of Expenditure			Justification					
1	2	3	<p>This position will perform a variety of labor relations duties. The person will investigate petitions for collective bargaining, investigate complaints of unfair labor practice, provide informal resolution to unfair labor practice complaints, and investigate challenges to elections. The position will also conduct elections, certify elections, and provide education and information on the Public Employment Relations Act to employees and employers.</p> <p>Travel costs are for travel to the various locations around the State where public employee labor relations activity would be required.</p> <p>Contractual and commodity costs are average per-employee costs. Equipment would be a one-time expense for desk, chair, cabinets, etc.</p>					
Salary	32,424							
Benefits	9,727							
Premium Pay								
Other								
Total Personal Services		42,151						
Travel		7,500						
Contractual		17,200						
Commodities		700						
Equipment		1,600						
Other								
Total Cost		69,151						
Receipt Code	Funding Source							
	Federal Receipts	1002						
	G. F. Match	1003						
	General Funds	1004	69,151					
	I-A Receipts	1005						
	Program Receipts	1028						
	CIP Receipts	1061						
	Other							
For B&M Use Only Key Number _____								

**Request For
New Position**

Agency Labor
 B&U Labor Standards and Safety
 Component Wage and Hour

Page 4 of 4
 Revised Date

FY 87

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: HB 170
Publish Date: _____

REQUEST: _____
Revision Date: _____
Title: "An Act relating to ... the
Public Employment Relations Act."
Sponsor: Labor and Commerce Committee
Requestor: House Labor and Commerce

Agency Affected: Labor
BRU: Labor Standards and Safety
Components: Wage and Hour

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		67.6	67.6	67.6	67.6	67.6
TRAVEL		12.5	12.9	8.0	8.2	8.5
CONTRACTUAL		42.8	44.1	33.8	34.8	35.9
SUPPLIES		1.4	1.4	1.5	1.5	1.6
EQUIPMENT		3.2	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	127.5	126.0	110.9	112.1	113.6
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		127.5	126.0	110.9	112.1	113.6
FEDERAL FUNDS						
OTHER						
TOTAL	0	127.5	126.0	110.9	112.1	113.6

POSITIONS:

FULL-TIME	0	2	2	2	2	2
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

See attached

Prepared by: AS Tom Stuart, Director *[Signature]* Phone: 465-4870
Division: Labor Standards and Safety Date: 3/17/87
Approved by Commissioner: AS Jim Samson *[Signature]* Date: 3/17/87
Agency: Labor

- Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary

FISCAL NOTE ANALYSIS
For HB 170

Under the provisions of this bill the department would be required to provide labor relations services to approximately 9,000 local government employees under the Public Employment Relations Act (PERA). Two new positions, a Wage and Hour Investigator I and Clerk Typist III, both located in Anchorage, would be necessary to handle the increase in workload. Additionally, a contractual hearing officer would be required to perform adjudication functions when necessary. The anticipated costs for the first two years are summarized as follows:

	<u>FY 88</u>	<u>FY 89</u>
<u>Personnel Services</u>		
Two new employees	67.6	67.6
<u>Travel</u>		
New Wage & Hour Investigator	7.5	7.7
Contractual Hearing Officers	5.0	5.2
S/T	<u>12.5</u>	<u>12.9</u>
<u>Contractual Services</u>		
Hearing Officer	10.0	10.3
Printing	5.6	5.8
Transcription Service	3.0	3.1
Legal Services	2.0	2.1
Rent	6.4	6.5
Indirect	6.8	7.0
Miscellaneous	9.0	9.3
S/T	<u>42.8</u>	<u>44.1</u>
<u>Commodities</u>	1.4	1.4
<u>Equipment</u>	<u>3.2</u>	<u>-0-</u>
TOTAL:	127.5	126.0

After the first two years we anticipate most of the organizational activity in the communities will be complete. Thus, in FY 90 and beyond the program should be able to be handled by the two new positions. The hearing officers and related costs would then be eliminated.

Assumptions:

- 1) Of approximately 30,600 local government employees in Alaska, 21,600 are currently covered by some form of collective bargaining and would fall within the group currently covered by the Public Employment Relations Act or work for an employer who would most likely opt for a local ordinance. This leaves approximately 9,000 employees in the state for the department's Labor Relations Agency to oversee. These employees are predominantly in the rural areas of the State.
- 2) An effective date of July 1, 1987.
- 3) Inflation of 3% per year in FY's 89-92 in non-personal service items.

Position Title Clerk Typist III			No. of Positions 1	Range/Step 8A	Barg. Unit GGU	Gov.	Approv.	Disapp.
Time Status PFT	Staff Months 12	RP Number	Location Anchorage		Election District	Leg.		
Type of Expenditure			Justification					
1		2	3					
Salary		19,572	<p>This position will function as the clerical member of the Department of Labor's Labor Relations Agency. The position will be responsible for preparing and typing correspondence, and maintaining collective bargaining records as they apply to petitions, certification/decertification of bargaining units, and complaints of unfair labor practices. Also, the position will act as recorder for the Labor Relations Agency Board during board proceedings.</p> <p>Costs associated with this position are average per-position costs, plus one-time equipment expense of \$1,600 for a desk, chair, etc.</p>					
Benefits		5,872						
Premium Pay								
Other								
Total Personal Services		25,444						
Travel		0						
Contractual		15,544						
Commodities		700						
Equipment		1,600						
Other								
Total Cost		43,288						
Receipt Code			Funding Source					
			Federal Receipts 1002					
			G. F. Match 1003					
			General Funds 1004					
			I-A Receipts 1005					
			Program Receipts 1028					
			CIP Receipts 1061					
			Other					
For B&M Use Only								
Key Number								

**Request For
New Position**

Agency Labor
 BRU Labor Standards and Safety
 Component Wage and Hour

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 Revised Date

FY 87

Position Title Wage and Hour Investigator			No. of Positions 1	Range/Step 16A	Barg. Unit GGU	Gov.	Approv.	Disapp.
Time Status PFT	Staff Months 12	RP Number	Location Anchorage		Election District	Leg.		
Type of Expenditure			Justification					
		Amount	<p>This position will perform a variety of labor relations duties. The person will investigate petitions for collective bargaining, investigate complaints of unfair labor practice, provide informal resolution to unfair labor practice complaints, and investigate challenges to elections. The position will also conduct elections, certify elections, and provide education and information on the Public Employment Relations Act to employees and employers.</p> <p>Travel costs are for travel to the various locations around the State where public employee labor relations activity would be required.</p> <p>Contractual and commodity costs are average per-employee costs. Equipment would be a one-time expense for desk, chair, cabinets, etc.</p>					
1	2	3						
Salary	32,424							
Benefits	9,727							
Premium Pay								
Other								
Total Personal Services		42,151						
Travel		7,500						
Contractual		17,200						
Commodities		700						
Equipment		1,600						
Other								
Total Cost		69,151						
Receipt Code	Funding Source							
	Federal Receipts 1002							
	G. F. Match 1003							
	General Funds 1004		69,151					
	I-A Receipts 1005							
	Program Receipts 1028							
	CIP Receipts 1061							
	Other							
For B&M Use Only Key Number								

**Request For
New Position**

Agency Labor
 BRU Labor Standards and Safety
 Component Wage and Hour

Page 4 of 4
 Revised Date

FY 87

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version: HB-170

Publish Date: _____

Revision Date: _____

Agency Affected: Education

Title: ...collective bargaining rights of school district employees.

BRU: _____

Sponsor: House Labor and Commerce

Components: _____

Requestor: House Labor and Commerce

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

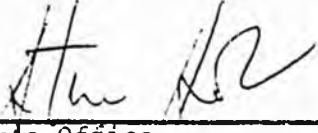
GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

The bill has no fiscal impact on this department.

Prepared by: Steve Hole 
Division: Commissioner's Office

Phone: 465-2800
Date: March 13, 1987

Approved by Commissioner: Marshall Lind
Agency: Education

Date: March 13, 1987

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

HOUSE COMMITTEE REPORT

(7)

Date referred: 3/20/87

FURTHER REFERRALS: Judiciary

DATE: 5-5-87

The Health, Education and Social Services Committee has considered HB 170

"An Act relating to participation of municipalities, school districts, and other political subdivisions under the Public Employment Relations Act and to collective bargaining rights of school district employees."

RECOMMENDS:

- replace with CSHB 170 the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published 3/17/87
- zero fiscal note same as previous zero fiscal note published 3/13/87
- zero with analysis

SIGNING DO PASS:

John Ellis

Nilda Koroman

Michael Rosenberg

Daniel Donley

SIGNING OTHER RECOMMENDATIONS:

George Hanks - Do Not Pass

Bill Hanks - No Rec. Yet!

Paul E. Brown - Do Not Pass

John Ellis
 NCO-Chairman's signature
Nilda Koroman

HOUSE COMMITTEE REPORT

3/20

(7)

Date referred: 3/6/87

FURTHER REFERRALS: HESS
Judiciary

DATE: 3/19/87

The Labor & Commerce Committee has considered HB 170

"An Act relating to participation of municipalities, school districts, and other political subdivisions under the Public Employment Relations Act and to collective bargaining rights of school district employees."

RECOMMENDS:

- replace with _____ the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING TO PASS:

James J. Douley

John E. Ellis

Chris Davidson

[Signature]

[Signature]

[Signature]

SIGNING OTHER RECOMMENDATIONS:

Grant [Signature] N.D.R.

James J. Douley

Chairman's signature