

SB

151



TELECOPY COVER SHEET

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TO: Senate State Affairs FAX: _____ PHONE: _____

FROM: Fbx LIO PHONE: _____

INSTRUCTIONS: Winter Testimony for SB150 & SB151
teleconferenced 4/1/97

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SENT BY: Fbx

Hon. Senators (etc...)

Senate Bills 150 and 151 contain within themselves, and within the facts describing their genesis, the most compelling reasons to vote against them.

It must have been fun for Mr. Chance to earn so much for a few weeks work -- all the while taking pot-shots at the people that made his many years of highly paid State service so unrewarding. It is hard to imagine how the sponsors could justify the expenditure under the banner of workers rights, while refusing to honor contractual cost of living adjustments that were bargained in good faith - at the cost of holidays and other benefits surrendered. If this is the kind of thing that happens with PERA in place as is, who can guess what would occur without? Will we see political patronage return? Will the people of the State see better service as promised on election day?

Leave this 25 year old statute to serve us well another 25 years. Please vote No on these poorly conceived and even more poorly written pieces of legislation.

Sincerely,

Patrick Shier, ASEA Northern Region Rep.

Sent: Monday, March 31, 1997 2:50 PM
To: Kathy Dietrich
Subject: Re: Update

Please vote no on bills 150 & 151.

Bill 151 addresses not allowing Pioneer Home worker's not to strike. This is redundant and unnecessary, as the contract that these workers are under will not allow them to strike, as they are Class 1 employees. It also will allow union members, to receive back part of their dues. This would be the part used for political activities. This is already addressed by the Union. Please do not waste, your important time (which is money) on unnecessary items.

Bill 150 is unfair to shift workers. Numerous employees work a Monday to Friday 8 to 5 type schedule. If you check on who is shift workers, you will find the majority, if not all, are employed in a 24 hour facility. As such, all shifts must be covered, for public safety reasons. Be it a correctional officer in the prisons, a pioneer aid taking care of our disabled and/or senior citizens or a radio dispatcher, taking and dispatching emergency calls, to possibly include giving pre-arrival instructions for emergency medical care to help save a life, before the ambulance or rescue squad arrives. The extra pay does not necessarily compensate being away from your family, having to cancel or rearrange your plans. With ALL pay used to compute retirement income, the hardship of having to cancel plans with my family is offset somewhat.

I enjoy my job. I am a shift worker in a 24 hour facility and as such, cannot always turn down overtime, even when I have prior plans.

Ref budget cuts. Please be very careful when addressing this issue. The legislature cuts budgets of different departments. The departments then cuts different items such as manpower, supplies and similar items. REMEMBER: Man power cuts will make government smaller. however at the same stroke of your pens, you give these same departments more to do—by law and regulation.

I am aware that motor vehicles, must ask people if they wish to register to vote, if so they sign them up, they have commercial driver liconsos now—for several years. I have not seen an increase in their staff.

The State Troopers have Sex Offender registrations, concealed carry permits to handle. These take time and I have not seen an increase in staff.

There probably have been additions in the main offices, to process completed, received forms. However, in the field offices, Fairbanks, Delta, Tok etc, I don't believe any additional staffing has occurred. So once again, same amount, if not less of manpower and more work. In addition, our state is growing. So the same amount of employees at DMV are processing more original transactions-for driver's licensing, vehicle registrations etc.

I am sure that other divisions have similar stories. PLEASE, PLEASE think about these things when you cut budgets. I do not have statistics on the different aspects I have mentioned, however, common sense will show that with an increase in population of the state, and duties of state employed persons, we are doing more with less-already.

The cuts often times roll down hill to the worker bee.

Sincerely,

Nancy Shafer, ASEA member, voting public, concerned citizen, Fairbanks

LEGAL SERVICES

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MEMORANDUM

March 11, 1997

SUBJECT: Sectional Summary of Work Order 0-LS0675\E dated 3/4/97. (Public employment labor relations)

TO: Senator Drue Pearce, Co-Chair
Senate Finance Committee
Attn: Llewellyn Lutchansky

FROM: Teresa B. Cramer *TBC*
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

Section 1 adds AS 23.40.011, containing a statement of findings, purposes, and policy for the Public Employment Relations Act (PERA).

Section 2 amends AS 23.40.075 to include the terms of a statute or municipal ordinance in the list of items that are not subject to bargaining under PERA. There is an exception if the subject matter of the statute or ordinance is made subject to bargaining under PERA.

Section 3 adds a new subsection to AS 23.40.075 concerning the public employer's managerial rights, prerogatives, and functions.

Section 4 amends AS 23.40.090 to substitute reference to "this chapter" for reference to AS 23.40.070 - 23.40.200 the statutes that currently make up PERA, to reflect the additions and repeals made by this bill.

Section 5 adds a new subsection to AS 23.40.090 making the representative chosen by the majority of the members in a bargaining unit the exclusive representative of employees in the unit. Subsection (c) places limits on the make-up of bargaining units. Subsection (d) prohibits a labor organization that represents peace officers from representing other kinds of public employees. Subsection (e) defines "confidential employee," "peace officer," and "supervisory employee" for purposes of AS 23.40.090.

Section 6 amends AS 23.40.100 to add to the reasons that an employer may require the labor relations agency to investigate a petition from the employer concerning the makeup of a bargaining unit or the representative of employees in the unit.

Section 7 amends AS 23.40.100(d) to provide that when a labor organization has been recognized by mutual consent, a member of the bargaining unit may petition the labor relations agency to hold an election to determine if the unit is appropriate or if the labor organization is in fact the representative of the majority of employees in the unit.

Section 8 adds a new subsection to AS 23.40.100 to prohibit the labor relations agency from investigating a petition filed by a labor organization if the organization has not filed all of the reports required by AS 23.40.400, which is set out in bill section 37 on page 24 of the bill.

Section 9 amends AS 23.40.110. The amendment to paragraph (a)(2) prohibits employers from contributing financial or other support to labor organizations but permits the employer to confer with employees concerning matters of mutual concern during working hours. The amendment to subsection (b) removes authorization for collective bargaining agreements to contain a clause requiring, as a condition of employment, membership in the labor organization. The amendment also adds a limitation on the amount of a service fee that may be imposed. Paragraph(c)(2) substitutes reference to "this chapter" for reference to AS 23.40.070 - 23.40.260.

Paragraph(c)(3) prohibits labor organizations from engaging in a strike or refusal to handle goods or perform services, or from encouraging individuals to do so, for any of the four reasons listed in subparagraphs (A) through (D). Under subparagraph (A), the conduct is forbidden if the goal is to force an employer to join a labor organization or an employer organization or to enter into an agreement prohibited by Sec. 23.40.110(e), which is added by sec. 10 of the bill. Under subparagraph (B), the conduct is forbidden if the object is to force someone to stop dealing in a product of a third party. Under subparagraph (C), a labor organization cannot use a strike to force an employer to bargaining with a particular labor organization if another labor organization has already been recognized as the exclusive representative of those employees. Under subparagraph (D), the labor organization cannot strike to force an employer to assign work to employees in a particular organization, or a particular trade, craft, or class.

Under paragraph (c)(4), a labor organization may not require employees to pay an excessive or unreasonable service fee in lieu of membership dues. Under paragraph (c)(5), a labor organization may not cause a public employer to pay for work that is not actually performed for the public employer. Under paragraph (c)(6), a labor organization may not picket an employer unless the organization represents the employer's employees, to force the employer to recognize a labor organization or to force the employees to accept the labor organization as their representative.

Section 10 adds several subsections to AS 23.40.110. Subsection (d) states that the expression of opinions is not evidence of an unfair labor practice so long as the expression is not a threat or a bribe. Subsection (e) makes it an unfair labor practice for a labor organization and a public employer to agree that the public employer will cease doing business with another employer. That part of an agreement that purports to require a public employer to do so is unenforceable and void. Subsection (f) states that a statement or action of a member of the legislature or a municipal assembly or a judge may not be considered an unfair labor practice so long as it is within the person's normal duties and unless the individual is designated to act as the agent of the employer in collective bargaining or in the adjustment of a grievance.

Section 11 amends AS 23.40.120 to substitute reference to "this chapter" for reference to AS 23.40.070 - 23.40.260.

Section 12 amends AS 23.40.130 to substitute reference to "this chapter" for reference to AS 23.40.070 - 23.40.260 and to add a citation to the administrative adjudication portion of the Administrative Procedure Act.

Section 13 amends AS 23.40.140 to substitute reference to "this chapter" for reference to AS 23.40.070 - 23.40.260.

Section 14 amends AS 23.40.150 to permit the labor relations agency to apply to any superior court in the state for an order enjoining an act prohibited by order of the agency.

Section 15 amends AS 23.40.160(a) to substitute reference to "this chapter" for reference to AS 23.40.070 - 23.40.260.

Section 16 amends AS 23.40.160(d) to substitute reference to "this chapter" for reference to AS 23.40.070 - 23.40.260.

Sections 17 and 18 amend AS 23.40.170 to substitute reference to "this chapter" for reference to AS 23.40.070 - 23.40.260 and to add a new subsection making the Administrative Procedure Act apply to adjudicative proceedings held under PERA.

Section 19 amends AS 23.40.200(b) to narrow the description of employees who are placed in Class One and prohibited from striking. Only those police, jail, prison, and other correctional institution employees who hold positions requiring certification from the Alaska Police Standards Council may be included in the class. Fire fighters continue to be included. The hospital employees who are included are limited to those who are licensed health care providers. Licensed health care providers at correctional facilities are added. The amendment also permits the labor relations agency to apply to any superior court in the state for an order if employees are about to engage in a prohibited strike. The selection of an arbitrator is governed by bill sec. 22.

Section 20 amends AS 23.40.200(c) to add residential care facility employees and employees of hospitals other than licensed health care providers to Class Two. Class Two employees are permitted to strike after mediation, but only for a limited time. Education employees (those of the University of Alaska) are removed from this class. (Public school employees are already included in Class Three.) The selection of an arbitrator is governed by bill sec. 22.

Section 21 amends AS 23.40.200(d) to specifically include employees of the Alaska Marine Highway System in Class Three and to clarify that public employees may engage in a strike only after impasse or deadlock is reached in collective bargaining.

Section 22 adds new subsections to AS 23.40.200. Subsection (g), which is referred to in bill sections 19 and 20, sets out how an arbitrator is to be selected. Subsection (h) provides that arbitration under this statute is open to the public and the decision and award are public records.

Section 23 amends AS 23.40.205 to substitute reference to "this chapter" for reference to AS 23.40.070 - 23.40.260.

Section 24 amends AS 23.40.210(a) to prohibit collective bargaining agreements from containing terms for automatic renewal and to prohibit labor organizations that have not filed reports required under AS 23.40.400, enacted by bill sec. 37, from gaining the assistance of the labor relations agency in enforcing the collective bargaining contract.

Sections 25 and 26 amend AS 23.40.210(c) and (d) to give the labor relations agency authority to adopt regulations concerning the cost-of-living differential for out-of-state employees in place of the commissioner of administration and to substitute reference to "this chapter" for reference to AS 23.40.070 - 23.40.260.

Section 27 adds new subsections to AS 23.40.210. Subsection (f) addresses selection of an arbitrator to conduct arbitrations under a collective bargaining contract. Subsection (g) makes the decision and award in an arbitration a final administrative adjudication under the Administrative Procedure Act, subject to appeal as an administrative agency decision.

Section 28 amends AS 23.40.212(a) to substitute reference to "this chapter" for reference to AS 23.40.070 - 23.40.260.

Sections 29 and 30 amend AS 23.40.215(a) and (b) to substitute reference to "this chapter" for reference to AS 23.40.070 - 23.40.260 and to require that extensions or modifications of a collective bargaining contract and arbitrators awards are subject to funding by the legislature (or other appropriate legislative body, in the case of a political subdivision) and are not effective or enforceable until funding and approval has occurred. Under the amendments to AS 23.40.215(b), if the legislature (or other legislative body) declines to fund

an agreement, the parties are required to resume negotiations. Subsection (b) also clarifies that the University and public corporations of the state are included in the subsection.

Section 31 adds new subsections to AS 23.40.215. Subsection (d) sets out requirements to permit legislative review of an agreement, resolution, settlement, or arbitrator's award that will cost the state \$10,000 or require the state to forego repayment of money owed to the state and prohibits an agreement, resolution, settlement, or arbitrator's award that "substantially modifies" monetary terms from taking effect until after legislative approval and funding. "Substantially modifies" is not defined.

Section 32 amends AS 23.40.220 to provide that an authorization for the employer to deduct union dues from an employee's compensation may not be made irrevocable for longer than one year.

Section 33 adds new subsections to AS 23.40.220. Subsection (b) requires an employer, at the request of an employee, to deduct the monthly amount of the service fee or other employee benefits from the employee's compensation. The secretary of the labor organization must certify the monthly amount of the fee. The authorization for the deduction may not last longer than the termination date of the collective bargaining agreement and may not be made irrevocable for longer than one year.

Section 34 amends AS 23.40.250, the definition section of PERA, and adds new definitions, many of which are made necessary by the new provisions contained in bill section 37. The definition of "monetary terms" is changed to include any change that requires the expenditure of public money whether or not a new appropriation is necessary.

The definition of "public employee" is amended to specifically include individuals who are on strike or who are locked out because of a labor dispute, an unfair labor practice, or who have been expelled from a union, and to exclude temporary employees, part-time employees, legislative branch employees, employees involved in policy making in the area of collective bargaining, and confidential employees who assist members of a legislative body of a political subdivision or a judge.

The definition of "public employer" is amended to include an employee who primarily formulates, effectuates, or determines the public employer's labor relations policies.

Section 35 adds a new subsection to AS 23.40.250 to address when a labor organization is subject to PERA. If the organization is connected with public employees in any of the five ways listed in the subsection, it is subject to PERA.

Section 36 amends AS 23.40.260 to substitute reference to "this chapter" for reference to AS 23.40.070 - 23.40.260.

Section 37 adds several new articles to PERA.

Article 3. Rights of Members of Labor Organizations.

Sec. 23.40.300 sets out the rights of members of labor organizations and bargaining units with respect to elections and attendance and participation in meetings. Subsection (d) makes clear that a labor organization can adopt and enforce reasonable rules of conduct.

Sec. 23.40.310 limits the rates of dues and initiation fees charged members of labor organizations and local labor organizations. Subsection (c) sets out procedures for increasing dues or fees or imposing assessments.

Sec. 23.40.320 prohibits labor organizations from limiting the rights of members to bring a court suit or an administrative agency proceeding or from appearing as a witness, petitioning the legislature, or communicating with a legislator. Under subsection (b), a labor organization may require a member to exhaust administrative procedures, so long as the procedures do not last longer than two months. Subsection (c) prohibits employers from financing, encouraging, appearing in, or participating in (except as a party) a court suit or administrative proceeding under subsection (a).

Sec. 23.40.330 requires a labor organization, before imposing discipline on a member, to serve the member with written charges, offer reasonable time for a defense to be prepared, and afford the member a fair hearing.

Sec. 23.40.340 requires labor organizations to make copies of the collective bargaining agreement available to employees covered by the agreement. Subsection (b) makes the agreement a public record.

Sec. 23.40.350 requires labor organizations to inform members of the provisions of PERA. Note that there is a drafting error in the caption to the section, which should refer to the "Public Employment Relations Act" not the "Public Employees Relations Act."

Article 4. Reporting by Labor Organizations and Employers.

Sec. 23.40.400 requires labor organizations to report information about the structure, organization, and financial situation of the organization as listed in subsection (a) to the commissioner of labor. Under subsection (c), the labor organization must file an annual financial report. Under subsection (d), the information contained in the report must be available to all members and fee payers without cost.

Sec. 23.40.410 requires officers and employees of labor organizations to file financial statements concerning their own and their families' finances with the commissioner of labor. Subsection (a) exempts clerical and custodial employees from the requirement to file the

reports. Subsection (b) exempts employees from having to report transactions in securities traded on a national securities exchange. Subsection (c) exempts an employee who has not held an interest, received income or other benefit, or engaged in a transaction described in subsection (a) from the requirement of filing a report.

Sec. 23.40.420 requires officers and elected or appointed officials of a public employer to file a financial report if the individual made a payment, loan, expenditure, promise, agreement, or other transaction listed in the section. Generally, the transactions involve dealings with a labor organization or an officer, agent, shop steward, or other representative of a labor organization, or an employee of a labor organization; payments to a public employee made to cause the employees to persuade other employees to exercise rights under PERA; expenditures made to affect the exercise of rights under PERA; and agreements with an independent contractor to affect the rights of public employees under PERA or to supply information to the public employer when there is a labor dispute (but information directly related to a proceeding is permitted).

Sec. 23.40.430 exempts attorney-client communications from information that must be disclosed under AS 23.40.400 - 23.40.470. Subsection (b) makes deliberative communications confidential and privileged, and exempt from any public records disclosure.

Sec. 23.40.440 makes the reports filed under this article public records and sets deadlines for filing reports.

Sec. 23.40.450 makes an intentional violation of this article or a knowing false statement of material fact in a document required by this article a class A misdemeanor.

Sec. 23.40.460 permits the commissioner of labor to bring a civil action against a person who has violated the reporting requirements in this article.

Sec. 23.40.470 requires auditing and accounting firms and individual auditors who help prepare the reports required by this article to file an annual report that includes information on the company's credentials, the payments received for the reports, the expenses of preparing them, and other information required by the commissioner of labor.

Article 5. Trusteeships.

Sec. 23.40.500 requires a labor organization that has acquired a trusteeship over another labor organization to file a report within 30 days of assuming the trusteeship and semiannually thereafter. The report must contain information concerning the trusteeship. Under subsection (b), financial information must be included in the initial report. Subsections (c) and (d) are criminal provisions.

Sec. 23.40.510 limits the purpose of a trusteeship to correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, and other legitimate objects of a labor organization.

Sec. 23.40.520 provides that the votes of delegates from a subordinate labor organization that is in trusteeship may not be counted unless the delegates were chosen by secret ballot and prohibits transferring to the organization money of the subordinate body except the normal payments made by subordinate bodies not in trusteeship. Subsection (c) sets out criminal penalties. Subsection (d) permits members to file complaints.

Sec. 23.40.530 addresses the duration of a trusteeship. After 18 months, the need for the trusteeship is presumed to have expired.

Sec. 23.40.540 permits the commissioner of labor to file a complaint concerning a trusteeship. In that event, the jurisdiction of the superior court in which the complaint is filed is exclusive.

Article 6. Labor Organization Elections and Removal of Officers.

Sec. 23.40.600 requires labor organizations representing or seeking to represent public employees to elect officers at least every five years, either by secret ballot or at a convention by delegates chosen by secret ballot. Local labor organizations must elect officers at least every three years. Under subsection (c), candidates must be given an opportunity to distribute campaign literature to members of the labor organization and the labor organization may not support one candidate over another with respect to use of membership lists.

Sec. 23.40.610 requires that officers of general committees of labor organizations or similar bodies be elected at least every four years by secret ballot or by representatives chosen by secret ballot.

Sec. 23.40.620 sets out procedures for elections by secret ballot.

Sec. 23.40.630 requires that when officers are chosen by a convention, the convention shall be conducted in accordance with the constitution and bylaws of the labor organization to the extent that those documents do not conflict with this article.

Sec. 23.40.640 prohibits labor organizations from using dues or assessments or money received from a public employer to promote the candidacy of a person in an election covered by this article. There is an exception for factual information concerning issues not involving candidates and for the expense of holding the election.

Sec. 23.40.650 permits the labor relations agency to authorize the removal of an elected officer of a labor organization who is guilty of serious misconduct if the constitution and bylaws of the labor organization do not provide an adequate procedure for the removal of the officer. If the labor relations agency makes the required findings, then the members of the labor organization can remove the officer by secret ballot.

Sec. 23.40.660 permits a member of a labor organization to file a complaint with the labor relations agency concerning a violation of the provisions of this article. The member must first exhaust remedies available under the labor organization constitution and bylaws, but there must be a final decision under the constitution and bylaws within three months after the member invokes them. The election that is being challenged is presumed to be valid, and the officers continue to act for the labor organization (unless the constitution or bylaws of the organization provide otherwise). The labor relations agency is required to bring a civil action in superior court to set aside the election if it finds there is probable cause. The court can declare the election void and direct that a new election be held if it finds a violation.

Sec. 23.40.670 prohibits requiring a labor organization to have more frequent elections than required by its own constitution and bylaws and this article and states that the article does not affect rights and remedies concerning elections under those documents. However, the remedy provided in the article for challenging an election that has already been held is made exclusive.

Article 7. Safeguards for Labor Organizations.

Sec. 23.40.700 states that officers, agents, shop stewards, and other representatives of a labor organization occupy positions of trust and owe a duty to act accordingly, as set out in the section.

Sec. 23.40.710 allows a member of a labor organization who believes that a representative of the organization has violated his or her fiduciary duty to sue the representative in superior court to recover damages for the benefit of the labor organization.

Sec. 23.40.720 provides that an officer or employee who embezzles from a labor organization is guilty of a class A misdemeanor.

Sec. 23.40.730 requires that representatives and employees of a labor organization or of a trust in which a labor organization is interested who handle money or property of the organization or trust must be bonded.

Sec. 23.40.740 prohibits a labor organization from making a loan to an officer or employee of the organization if the debt of the officer or employee to the organization exceeds \$2,000. Subsection (b) prohibits a labor organization from paying a fine imposed on an officer or employee for intentional violation of this article.

Sec. 23.40.750 prohibits persons convicted of a felony or a misdemeanor involving abuse of employment for a public employer or in a labor organization from holding certain positions in a labor organization or with a public employer, including serving as an officer in, being employed by, or serving as a consultant or advisor to a labor organization or from serving as a labor relations consultant or advisor to a public employer. The prohibition lasts for 13 years after conviction or the end of imprisonment, whichever is longer, unless the period is shortened by the court as provided in subsections (b) and (c).

Sec. 23.40.790 defines "representative of a labor organization" for the article.

Article 8. Restrictions on Financial Transactions.

Sec. 23.40.800 prohibits a public employer, an elected or appointed official or a labor relations advisor to a public employer to pay, lend, or deliver anything of value, including money, to certain entities listed in subsection (a), including representatives of employees, certain labor organizations, public employees if the purpose is to influence rights under PERA, or to officers or employees of a labor organization if the purpose is to influence actions taken as a representative of employees. There is an exception for normal compensation of employees. Under subsection (c), a labor organization or representative or employee of the organization is prohibited from (1) demanding or accepting anything of value from a public official as a fee for refraining from pursuing a labor claim; and (2) offering or delivering public officials anything of value as a campaign contribution if the purpose is to affect labor relations proceedings or disputes between the public employer and the labor organization.

Subsection (d) lists exceptions to the prohibitions. Note that the payment of permanent fund dividends and the granting of other benefits that are generally available to people in the state under a variety of public programs (local property tax exemptions for home improvements, for example) are not included in the list of exceptions.

Subsection (e) sets out the requirements for qualifying as a trust to which money may be paid without violating the section.

Article 9. Miscellaneous Provisions.

Sec. 23.40.840 states that the chapter does not reduce or limit the responsibility of a labor organization or representative of the organization under state law or take away a right or Sec. 23.40.850 of a member of a labor organization unless the chapter explicitly does so.

Sec. 23.40.850 states that service of process on an officer or agent of a labor organization constitutes service on the labor organization.

Senator Drue Pearce
March 11, 1997
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Section 53 provides that if a labor organization has assumed a trusteeship over a subordinate before the bill takes effect, the first trusteeship report is due within 30 days after the bill takes effect.

Section 54 provides that the first report required from a labor organization under AS 23.40.400 must be filed within 30 days after the bill takes effect.

TC:jdr
97-162.jdr

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The Public Employee's Bill of Rights

- Will require that public employee unions register with the Department of Labor and file their constitution and bylaws, list their officers and qualifications for office, publish their dues and service fee structures, qualifications for voting in election of union officers and other vital information.
- Will require that all members of the bargaining unit, not just members, can vote on contract ratifications and amendments to contracts.
- Will establish rules for open, secret ballot elections for union office and other union business.
- Will require all union officers and employees to disclose their financial dealings with public employers, elected and appointed officials and candidates for office.
- Will require unions disclose their financial dealings in sufficient detail to determine expenditures for social, political and fraternal activities.
- Will require public employers, elected and appointed officials and other employer agents to disclose their financial dealings with unions.
- Will prohibit payments, business dealings or contributions by unions to public officials if the intent is to influence the outcome of a negotiation, grievance or arbitration.
- Will prohibit payments, business dealings or contributions by public employers to unions if the intent is to influence union activities or to interfere with an employee's rights guaranteed by PERA.
- Will prohibit compulsory employee payments to unions for social, political and fraternal activities while still allowing agreements to pay for the actual cost of representation in negotiations and grievance adjustment.
- Will establish rules governing national or international unions' taking over local unions through trusteeship.
- Will establish rules for fiduciary responsibility of union officers and employees.

Public Employment Relations Act Modernization

- The 1972 Legislature found that joint decision making is the modern way for an employer to deal with its employees. This is even more true today than then. However, the bargaining law is now 25 years old and is based on a sixty-year-old federal law.
- The amendments incorporate the experience of the Executive Branch and the Legislature over the last 25 years as well as the federal experience over 60 years.
- Protects employees from compulsory participation in union social, fraternal and political activities while allowing agreements that require payment of reasonable service fees for the union's representation services in negotiations and grievance adjustment.
- Requires that employees with law enforcement authority be in separate unions to avoid conflicts of interest.
- Prohibits supervisors and high-level managers from participation in bargaining units with subordinate employees.
- Enhances employee participation in management decisions by allowing focus groups, quality circles and other joint employee-employer committees.
- Protects private employers from becoming embroiled in disputes between public employers and public employee unions.
- Protects employees from being compelled to pay fees not reasonably related to the cost of representation.
- Streamlines and clarifies the rules for selecting an arbitrator to settle contract disputes with employees who are prohibited from striking.
- Ensures that Pioneer Home employees can be enjoined back to work should a strike threaten the welfare of residents.
- Requires that all collective bargaining agreements be written and must have a fixed expiration date.
- Requires that the Alaska Labor Relations Agency make regulations governing collection of pay differentials based on residency.
- Ensures legislative oversight over all costs of collective bargaining.
- Ensures the oversight authority of the legislative bodies of political subdivisions over the costs of collective bargaining.
- Requires that public employees working under an agreement that requires the payment of dues or fees are given notice of their right to pay only for the costs of collective bargaining.