

SCOMM

130:19

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB 95
(S) Publish Date: 3/26/03

Revision Date/Time (Note if correction): _____ Department: Labor and Workforce Development
Title: 72-Hour Notice of Teacher Strike BRU: Office of the Commissioner
Sponsor: Senator Green Component: Alaska Labor Relations Agency
Requester: Senate HES Component Number: 1200

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: None

Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal: ☐

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill would amend AS 23.40.200(d) and add new subsection (g) to the Public Employment Relations Act (PERA) by requiring labor organizations who represent school district employees to provide school districts with at least 72 hours advance notice before a strike may begin. The bill's intent is to give school districts at least three days to prepare for the effects that a strike would have on schools, students, and parents, and to prepare contingency plans.

Prepared by: Mark Torgerson, Hearing Examiner Phone: 269-4895
Division: Office of the Commissioner Date/Time: 3/14/03 1:53 PM
Approved by: Greg O'Clary, Commissioner Date: 03/14/03
Agency: Department of Labor and Workforce Development

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SENATOR LYDA GREEN SENATE DISTRICT G

SPONSOR STATEMENT **Senate Bill 95**

"AN ACT RELATING TO MANDATORY 72 HOURS WRITTEN NOTICE BY PUBLIC SCHOOL EMPLOYEES OF THE DATE AND TIME WHEN A STRIKE WILL BEGIN."

Senate Bill 95 would require public school employees to provide a school district with written notice of an impending strike at least 72 hours prior to any labor action. This bill would protect students and give parents adequate time to be notified of a change in the school schedule.

Current labor regulations allow public school employees to strike without prior warning to the school district or the community. Without a provision mandating proper notice, student safety is severely compromised. School districts would be unable to alert parents to the possible closure of schools. Students could possibly arrive to near-empty school buildings, buses may not arrive to pick up waiting students, and parents may not have been informed of these circumstances.

Seventy-two hours gives parents sufficient time to make alternative arrangements if schools are actually going to be closed. In order for school district personnel to assure the safety and well being of students during a change of work status, there must be adequate time to prepare for changes to the school day.

The primary purpose of Senate Bill 95 is to allow time for a school district to make the best decision and to inform students, parents and the community of that decision. I urge your support of the legislation.

Sponsor Statement

LEGAL SERVICES

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MEMORANDUM

March 6, 2003

SUBJECT: Sectional Summary of Bill on 72-hour notice of teacher strikes
(Work Order No. 23-LS0670A)

TO: Senator Lyda Green
Attn: Jacqueline

FROM: Barbara R. Craver *BRC*
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. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. This section amends AS 23.40.200(d) by removing the process to be used by schools when they reach an impasse in collective bargaining negotiations. This process is moved and reorganized in a new subsection (g), which is the subject of Section 2.

Section 2. A new subsection, (g), is added to AS 23.40.200 by this section. Here is a summary of the required process:

1. Schools and employees engage in collective bargaining negotiations.
2. If an impasse or deadlock in negotiations is reached the parties must submit to advisory arbitration. The process of determining the arbitrator is set out.
3. If advisory arbitration fails, and the employees vote to hold a strike, (under subsection (d)) then at least a 72-hour prior notice must be given to the school. The 72-hour notice must include a least one in-session school day.

If I may be of further assistance, please advise.

BRC:med
03-255.med

Sectional Analysis

States that Allow for Strikes

Alaska	Louisiana
Minnesota	California
Montana	Colorado
Ohio	Oregon
Illinois	
Pennsylvania	
Wisconsin (very limited K-12)	
Vermont (all K-12) no (HE)	

Notice of Strike

Vermont No notice policy	Ohio 10 days notice
Colorado No notice policy	Illinois 5 days notice
California No notice policy	Pennsylvania 48 hour notice
Hawaii 10 days notice	Minnesota 10 days notice
Louisiana No notice policy	Montana No notice policy

States that Prohibit Teacher Strikes

Arizona	Michigan	Texas
Connecticut	Mississippi	Virginia
Delaware	Missouri	Washington
D.C.	Nebraska	West Virginia
Florida	Nevada	
Georgia	New Hampshire	
Idaho	New Jersey	
Indiana	New York	
Iowa	North Carolina	
Kansas	North Dakota	
Kentucky	Oklahoma	
Maine	Rhode Island	
Maryland	South Dakota	
Massachusetts	Tennessee	

Background Info.

**THE
FOLLOWING
DOCUMENT(S)
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School strike

Few days' grace would have helped

Anchorage parents of public-school children woke up to an ambush Friday morning. School district office workers and teacher aides voted 788-102 Thursday night to strike.

Parents who have paid attention knew a strike and school closing were possible. They didn't expect to learn of a strike at the school doors or the bus stop, or while they were getting their children ready for school.

then on a voice vote called the strike for Friday. The decision came too late for the evening news, and the Anchorage School District, which had warned that a strike would close schools, didn't get the word until 10:40 Thursday night that the strike would begin Friday.

Many parents and students didn't get the word until Friday morning. That left them scrambling for child care and disrupted work and transportation schedules.

Parents who have paid attention knew a strike and school closing were possible. They didn't expect to learn of a strike at the school doors or the bus stop, or while they were getting their children ready for school.

While the union's timing got the community's attention, it's no way to win community support.

Ellen Gamel, president of Totem Association, apologized Friday afternoon for the disruption. She said union members are tired and frustrated at the district's stand in their contract dispute. The decision to walk out Friday reflects the depth of that frustration.

But the union would have served its own cause and the community better by giving Anchorage parents a weekend's warning and time to make child care, work and transportation arrangements. The strike could have begun Tuesday, after the King holiday. Blindsiding thousands of families Friday morning served no one's interests.

ANCHORAGE DAILY NEWS EDITORIAL
JANUARY 16, 1999

Background Info - 2

ALASKA COUNCIL



OF SCHOOL ADMINISTRATORS

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Alaska Council of School Administrators

April 11, 2003

The Honorable Lyda Green
State Senate
Alaska State Capitol
Juneau, AK 99801-1182

Dear Senator Green:

Please accept this written testimony in support of SB 95 from the Alaska Council of School Administrators. The Council is comprised of school superintendents and other central administrators, school principals and school business officials.

We support this legislation as a tool to protect students from the possibility of adverse affects of a breakdown in negotiations with bargaining units. Sufficient prior notification is necessary for there to be a smooth transition to a strike situation. Bus scheduling, supervision of students, classroom delivery and the like all require advanced planning, and planning takes time.

Though the parties strive to settle differences without coming to the conclusion that a strike is the solution, if one occurs, administrators need sufficient notice to prepare for its impact.

Thank you for sponsoring this legislation. If I can be of further assistance, please let me know.

Sincerely,

Mary A. Francis
Executive Director

MF:klc