



# LAWS OF ALASKA

1970

Source

HB 391 am S

Chapter No.

18

## AN ACT

Relating to mediation and negotiation procedures for teachers.

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

\* Section 1. AS 14.20 is amended by adding new sections to read:

#### ARTICLE 6. NEGOTIATION.

Sec. 14.20.550. NEGOTIATION WITH CERTIFIED EMPLOYEES. Each school board, and the state Board of Education for the state-operated schools, shall negotiate with its certificated employees in good faith on matters pertaining to their employment and the fulfillment of their professional duties.

Sec. 14.20.560. TEACHERS' BARGAINING GROUPS. (a) When a majority of the certificated employees in a school district have designated an educational organization of their own choosing to bargain for them, the organization shall be recognized by the school board as the bargaining agent for all the certificated staff, except superintendents of schools. The membership of any such recognized educational organization shall be composed principally of those employed in the teaching profession in Alaska.

(b) The organization representing a majority of the certificated employees of a school district shall, upon the request of the school board, submit an affidavit verifying that it does represent a majority of the certificated employees. Recognition of the employee bargaining agency by a school board is valid for one year or a term agreed upon by the two parties to an agreement, unless a majority of certified staff votes to request the termination of recognition of the employee bargaining agency. The school board

is entitled to an affidavit of membership from the employee bargaining agency once each year.

(c) Upon the request of 25 per cent of the certificated employees in a district, the school board shall hold, within 20 days, an election by secret ballot of all the certificated employees in order to determine their choice of a bargaining agency. The results of this election are binding for one year.

(d) A school board shall, upon the written request of the employee bargaining organization, meet with the representative of the organization within 20 days of the request at a time and place to be mutually agreed upon. In the same manner, representatives of an employee bargaining organization are required to meet with a school board or its representatives within 20 days after receiving a written request. The school board and the employee organization may not select more than five representatives each to negotiate for them.

(e) The negotiating meeting may be held in executive session upon mutual agreement of both parties, but all final agreements shall be made at a public meeting of the school board.

Sec. 14.20.570. MEDIATION BOARD. (a) Upon the written request for mediation by an employee bargaining agency or a school board, and upon certification by the requesting party that good faith negotiations have terminated in a stalemate, each party shall choose two mediation board members within 10 days. Within seven days of their selection, the four members shall meet to select jointly a fifth member. No more than three days may be used in selecting the fifth member.

(b) The mediation board shall hold its initial hearing within seven days of the selection of the fifth member. The fifth member shall serve as chairman.

(c) Teachers serving as members of a mediation board established by this section must have attained tenure under sec. 150 of this chapter and are to be released from school duties without penalty or loss of pay in those instances in which representatives of the board are receiving pay from public funds.

(d) Mediation board members serve without compensation.

Sec. 14.20.580. DUTIES OF MEDIATION BOARD. (a) In a dispute between certificated employees and a school board, a mediation board shall hear the evidence from both parties and from other witnesses it may choose to hear.

(b) Within 30 days of its initial hearing, a mediation board shall submit its findings and recommendations to both parties and to the commissioner of education. This information shall also be available to the public. Upon mutual agreement by both parties, the reporting period may be extended.

Sec. 14.20.590. GRIEVANCE PROCEDURES. Negotiation agreements shall provide for grievance procedures for the certificated staff.

Sec. 14.20.600. INDIVIDUAL CASES. Nothing in secs. 550 - 590 of this chapter prohibits an employee from addressing a school board, as an individual, through the regular procedures of the school board for hearing individual cases.

Sec. 14.20.610. LEGAL RESPONSIBILITIES OF BOARDS. Nothing in secs. 550 - 600 of this chapter may be construed as an abrogation or delegation of the legal responsibilities, powers, and duties of the school board including its right to make final decisions on policies.