

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Workforce

REVENUE: No revenue impact
FISCAL: Fiscal statement issued
SUBSEQUENT REFERRAL TO:

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Matthew Germer, Administrator

Meeting Dates: 4/27

WHAT THE MEASURE DOES: Requires issue subject to collective bargaining during term of agreement that is not resolved through negotiation or mediation be resolve through binding arbitration. Requires matter be submitted for mediation before binding arbitration. Prohibits public employees from striking when issue subject to collective bargaining during term of agreement is subject to binding arbitration.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND: Under the Public Employee Collective Bargaining Act (PECBA), there is established an expedited (also referred to as interim) bargaining process for when an employer, during the current contract, wants to make a change in employment relations that are subject to collective bargaining. If the labor organization demands to bargain, the statute prohibits the bargaining from continuing past 90 days without the consent of both parties and provided both parties negotiate in good faith. At any time during the 90-day period, both parties can mutually agree to mediation; after the 90-day period, management is allowed to implement its proposed changes without any further obligation to bargain.

House Bill 2544 requires issues that are not resolved in the 90-day period be submitted to the State Conciliation Service for mediation and, if necessary, to the Employment Relations Board for binding arbitration. The mediation period is to last up to 15 days from the date of the first mediation session. The measure also specifies that the employees in the bargaining unit subject to the binding arbitration are not allowed to strike.