

Dear Senator Roblan,

I am urging you to vote against HB 2544 and instead to vote for the attached amendments drafted by Attorney Nancy Hungerford. This bill makes it impossible for school districts to run a budget or make other changes necessary for student needs.

The compromise that is being proposed meets the two criticisms of the current expedited bargaining law raised by the sponsor and the union witnesses testifying before the House Committee: that (1) the current law allows public employers to fail to bring issues to the bargaining table, but then allows them, after regular bargaining is over, to bring up on an expedited basis issues not in the CBA (which we address by prohibiting any such notice of intent to make a unilateral change within the first 60 days after a new agreement is ratified), and (2) there is no dispute resolution process built in the current law because the union can't really sustain a strike over the single issue that usually is bargained in the expedited process (which we address by adding a mediation process, still within the 90 days).

Thank you for your attention to this important matter.

Chelsi M. Sholty

Human Resources Director
Lincoln County School District



243.698 Expedited bargaining process; notice; implementation of proposed changes. (1) When the employer is obligated to bargain over employment relations during the term of a collective bargaining agreement and the exclusive representative demands to bargain, the bargaining may not, without the consent of both parties and provided the parties have negotiated in good faith, continue past 90 calendar days after the date the notification specified in subsection (2) of this section is received.

(2) The employer shall notify the exclusive representative in writing of anticipated changes that impose a duty to bargain. Such notice may not be given until 60 calendar days have elapsed since the parties have ratified the most recent collective bargaining agreement.

(3) Within 14 calendar days after the employer's notification of anticipated changes specified in subsection (2) of this section is sent, the exclusive representative may file a demand to bargain with the employer and the Employment Relations Board. If a demand to bargain is not filed within 14 days of the notice, the exclusive representative waives its right to bargain over the change or the impact of the change identified in the notice.

(4) If no agreement is reached within 30 days of the exclusive representative's notice, the Employment Relations Board will assign a mediator to meet with the parties during the following 45-day period.

~~(4)~~ (5) The expedited bargaining process shall cease 90 calendar days after the written notice described in subsection (2) of this section is sent, and the employer may implement the proposed changes without further obligations to bargain. ~~At any time during the 90-day period, the parties jointly may agree to mediation, but that~~ Mediation shall not may continue past the 90-day period from the date the notification specified in subsection (2) of this section is sent with mutual agreement of the parties. Neither party may seek binding arbitration during the 90-day period. [1995 c.286 §13]