

STAFF MEASURE SUMMARY**Senate Committee On Workforce****Fiscal:** Fiscal impact issued**Revenue:** No Revenue Impact**Action Date:** 06/03/15**Action:** Do Pass With Amendments And Requesting Referral To Rules. (Printed A-Engrossed.)**Meeting Dates:** 04/27, 06/03**Vote:**

Yeas: 3 - Dembrow, Gelser, Rosenbaum

Nays: 2 - Knopp, Thatcher

Prepared By: Matthew Germer, Committee Administrator**WHAT THE MEASURE DOES:**

Requires employer, when labor contract is for term less than two years, to notify collective bargaining representative of desire to engage in interim bargaining no earlier than 60 days after ratification of most recent collective bargaining agreement or prior to 60 days of expiration of most recent collective bargaining agreement. Requires employer, when labor contract is for term of two or more years, to notify collective bargaining representative of desire to engage in interim bargaining after 180 days have elapsed since implementation of most recent collective bargaining agreement or prior to 180 days of expiration of most recent collective bargaining agreement. Requires Employment Relations Board to assign mediator to meet with parties if no agreement is reached within 30 days of labor's demand to bargain. Permits mediation to extend beyond 90 days upon mutual agreement of parties. Applies only to employers subject to Public Employee Collective Bargaining Act.

ISSUES DISCUSSED:

- Process for changing terms subject to collective bargaining during term of agreement (“interim” or “expedited” bargaining)
- Purpose of the Public Employee Collective Bargaining Act (PECBA)
- Consequences of using binding arbitration rather than striking
- Extant pressures during bargaining to reach agreement
- Arbitrator selection process

EFFECT OF COMMITTEE AMENDMENT:

Replaces the measure.

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-A requires employers, for contracts with a term of less than two years, to notify collective bargaining representatives of a desire to engage in interim bargaining after no less than 60 days have elapsed since the implementation of the most recent collective bargaining agreement or prior to 60 days of expiration of the most recent collective bargaining agreement. For contracts with a term of two years or greater, employers must notify the collective bargaining representatives

of a desire to engage in interim bargaining after no less than 180 days have elapsed since the implementation of the most recent collective bargaining agreement or prior to 180 days of expiration of the most recent collective bargaining agreement. If the two parties are unable to resolve their dispute within 30 days of notice, the measure authorizes the Employment Relations Board to assign a mediator. Mediation may only extend beyond 30 days upon mutual agreement of the parties.