

HB 2265 A STAFF MEASURE SUMMARY

Carrier: Rep. Doherty

House Committee On Business and Labor

Action Date: 04/10/17

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 9-0-0-0

Yeas: 9 - Barreto, Bynum, Doherty, Evans, Fahey, Hack, Heard, Holvey, Kennemer

Fiscal: No fiscal impact

Revenue: No revenue impact

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WHAT THE MEASURE DOES:

Allows parties negotiating terms of collective bargaining agreement to agree in writing as to when to start 150-day period after which either party may request mediation.

ISSUES DISCUSSED:

- Various paths to mediation

EFFECT OF AMENDMENT:

Sets beginning of 150-day period either when parties meet to negotiate for first time and each party has shared initial proposal or on an alternative date agreed to in writing by all parties.

BACKGROUND:

The Public Employee Collective Bargaining Act (PECBA), enacted in 1973, codifies the laws governing employment relations and public employers and employees in the state, counties, cities, school districts, transportation districts and other local governments, as well as private employers not subject to the jurisdiction of the National Labor Relations Board. Under PECBA, both the public employer and the labor organization are required to collectively bargain in good faith with respect to the terms of an agreement. After a period of 150 days of good faith negotiations, either or both parties may notify the Employment Relations Board of the need for a mediator to be assigned. The parties may agree at any time during the 150 days to request a mediator. The clock for the 150-day period starts when the parties meet for the first bargaining session and each party has received the other party's initial proposal.

Mediation is provided by the Board's State Conciliation Service. After 15 days of mediation either party may declare an impasse; the mediator may declare an impasse at any time. Seven days after such a declaration, each party must submit a final offer for the mediator to make available to the public. Within 30 days after making the final offer public, the parties may jointly petition the Board to appoint a fact finder. The employees have the right to strike 30 days after after the mediator makes the final offers public or after a fact finder issues a report.

House Bill 2265-A allows the start of the 150-day negotiation period to be an alternative date that the parties agree to in writing.