

3 Senate Bill No. 259

4 SENATE BILL NO. 259 - By: SMITH of the Senate and KIRBY of the
5 House.

6 An Act relating to cities and towns; amending 11 O.S. 2001,
7 Section 51-111, which relates to municipal bargaining;
8 providing certain exceptions to the determination of the
9 arbitration board; providing an effective date; and
10 declaring an emergency.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 11 O.S. 2001, Section 51-111, is
13 amended to read as follows:

14 Section 51-111. Any agreement actually negotiated between the
15 bargaining agent and the corporate authorities either before or
16 within thirty (30) days after arbitration shall constitute the
17 collective bargaining contract governing fire fighters or police
18 officers in the municipality for the period stated therein; provided
19 that such period shall not exceed one (1) year. Any collective
20 bargaining agreement negotiated under the terms and provisions of
21 this article shall specifically provide that the fire fighters or
22 police officers who are subject to its terms shall have no right to
23 engage in any work stoppage, slowdown or strike, the consideration
24 for such provision being the right to a resolution of disputed
25 questions. All rules, regulations, fiscal procedures, working
26 conditions, departmental practices and manner of conducting the

1 operation and administration of fire departments and police
2 departments currently in effect on the effective date of any
3 negotiated agreement shall be deemed a part of said agreement unless
4 and except as modified or changed by the specific terms of such
5 agreement. Every such agreement shall contain a clause establishing
6 arbitration procedures for the immediate and speedy resolution and
7 determination of any dispute which may arise involving the
8 interpretation or application of any of the provisions of such
9 agreement or the actions of any of the parties thereunder. In the
10 absence of such negotiated procedure such dispute may be submitted
11 to arbitration in accordance with the provisions of Sections 51-107
12 through 51-110 of this title, except that the arbitration board
13 shall be convened within ten (10) days after demand therefor by the
14 bargaining agent upon the corporate authority or authorities. ~~In~~
15 ~~such case the~~ The arbitration board's determination shall be final
16 except that, as a matter of public policy, any arbitration award
17 arising from any disciplinary action of the employer resulting in
18 loss of pay, suspension, demotion of position, or termination shall
19 be subject to judicial review pursuant to the provisions of Section
20 951 of Title 12 of the Oklahoma Statutes.

21 SECTION 2. This act shall become effective July 1, 2003.

22 SECTION 3. It being immediately necessary for the preservation
23 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
3 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS & LABOR, dated 2-17-03 -
4 DO PASS, As Coauthored.