

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE BILL HB1651

By: Coleman

AS INTRODUCED

An Act relating to schools; creating the Teachers Right to Know Act; providing definitions; directing teachers' unions to prepare and maintain certain employment records; requiring records to be available for inspection; providing penalty for failure to provide access; authorizing enforcement; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 510.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Teachers Right to Know Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 510.2 of Title 70, unless there is created a duplication in numbering, reads as follows:

As used in the Teachers Right to Know Act:

1. "Available" means available for inspection at no cost upon written request at the local office of the teachers' union;

2. "Employer paid benefits" means any payment by a teachers' union to an employee, former employee, or dependent of an employee or former employee which would not have been made if the employee or former employee had not been employed by a teachers' union.

Employer paid benefits shall not include any payment from any insurance trust or fund which is offset by previous payments by a teachers' union or employee of a teachers' union;

3. "Represented employees" means any member of a teachers' union or those teachers or school support employees who pay partial payment to the teachers' union for representation;

4. "Union employee" means someone who works for the teachers' union or spends their time primarily performing duties designed to manage, promote, or provide support for the functioning of the teachers' union;

5. "Teachers' union" means any association or organization of employees, and any agency, employee representation committee, or plan in which employees participate that exists, in whole or in part, to advocate on behalf of teachers or school support employees about grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work; and

6. "Wages and salaries" means all payments made either directly or indirectly to an employee of a teachers' union.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 510.3 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Teachers' unions shall prepare and maintain contemporaneous records documenting the amount of all wages and salaries and employer paid benefits being provided to all union employees.

B. Teachers' unions shall make the records required to be kept pursuant to this section available for inspection to all represented employees within twenty eight (28) days after a written request for inspection is submitted.

C. Failure to provide access to the requested records within the allotted time as provided for in this section shall result in a penalty of One Hundred Dollars (\$100.00) per day being assessed against the teachers' union until the information is provided to the represented employee.

D. The represented employee may bring an action in district court to enforce the provisions of this section.

SECTION 4. This act shall become effective July 1, 2003.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

49-1-5131      KB      01/03/03