

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1852

By: Steele

COMMITTEE SUBSTITUTE

An Act relating to schools; amending 70 O.S. 2001, Section 509.6, which relates to negotiations between school employees and districts; providing for vote on a negotiated agreement; requiring a vote on the final offer made by a district prior to impasse; providing for next action if final offer is approved or disapproved; establishing certain voting guidelines for negotiated agreements or final offers; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2001, Section 509.6, is amended to read as follows:

Section 509.6 A. Once an organization has been recognized, the board of education or its duly designated representative must meet with the duly designated representative of the organization and within sixty (60) days shall complete an agreement outlining negotiation procedures. The board of education and the representatives of the organization must negotiate in good faith on wages, hours, fringe benefits and other terms and conditions of employment. To negotiate in good faith shall mean both parties must be willing to consider proposals in an effort to find a mutually satisfactory basis for agreement and must be willing to discuss their respective contract proposals. Upon successful completion of negotiations, all employees affected by the negotiations shall be given the opportunity to vote to approve or disapprove the terms of the agreement without any comment from the district.

B. If either party objects to the other's contract proposals, the objecting party must support its objections with rationale. Prior to a declaration of impasse by the bargaining unit, the final offer made by the district shall be transmitted by the district, in writing, to all employees affected by the negotiations without any comment by the bargaining unit. The employees shall be given the opportunity to vote to approve or disapprove the final offer made by the district. If approved, the offer shall be accepted by both parties. If disapproved, the bargaining unit may proceed to impasse.

C. Any allegation by either party that there has been a failure to comply with the provisions of this section shall be resolved through the dispute resolution procedure for resolving a unit determination dispute as set forth in subsection A of Section 509.2 of this title.

D. When a vote is held to approve or disapprove successful negotiations or to approve or disapprove the final offer made by the district prior to impasse, the following guidelines shall apply:

1. All information regarding changes in the negotiated agreement shall be transmitted to employees affected by the negotiations not less than one (1) week prior to the vote;

2. Voting shall take place on one (1) day at each school site;

3. Employees that are voting shall sign and then immediately cast the ballot;

4. The number of ballots counted shall be equal to or less than the number of employees entitled to vote; and

5. One person representing the administration of the school district and one person representing the employees shall be present at all times at the ballot box during the time allowed for voting.

SECTION 2. 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.

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