

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 541

By: Riley

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2001, Section 509.6, which relates to good faith negotiations; requiring vote on terms of agreement by certain employees upon successful completion of negotiations; requiring written transmittal of certain offer to certain employees prior to declaration of impasse; requiring vote by certain employees on certain offer; specifying certain actions based on outcome of vote; providing procedural requirements applicable to certain vote; providing an effective date; 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 vote to approve or disapprove of the terms of the agreement. A simple majority of votes shall be required for approval. If either party objects to the other's contract proposals, the objecting party must

support its objections with rationale. Prior to the bargaining unit's declaration of impasse, the district's final offer shall be transmitted, in written form by the district, to all employees affected by the negotiations. The affected employees shall vote to approve or disapprove the district's final offer. If approved by a simple majority of votes, then the offer is accepted. If disapproved, then the bargaining unit may proceed to impasse. 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.

B. Whenever a vote is held pursuant to this section, the following procedures shall apply:

1. All information regarding changes in the negotiated agreement shall be transmitted to employees affected by the negotiations at least one (1) week prior to the vote;

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

3. Employees shall individually sign for their ballot and immediately cast the ballot;

4. No more ballots than employees entitled to vote shall be counted; and

5. One certified teacher or one building administrator shall be assigned to monitor the ballot box at all times during voting.

SECTION 2. This act shall become effective July 1, 2005.

SECTION 3. 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.