

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1378

By: Holland

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6 AS INTRODUCED

7 An Act relating to schools; defining term;
8 prohibiting collective bargaining contracts;
9 prohibiting the recognition of labor organization as
10 bargaining agent for school employees; prohibiting
11 school employees from engaging in strike; providing
12 individual not be denied employment due to certain
13 membership; repealing 70 O.S. 2001, Sections 509.1,
14 509.2, as amended by Section 7, Chapter 439, O.S.L.
15 2008, 509.2a, 509.3, 509.6, 509.7, 509.8, 509.9,
16 509.10 and Section 12, Chapter 432, O.S.L. 2005 (70
17 O.S. Supp. 2010, Sections 509.2 and 509.11), which
18 relate to negotiations between school employees and
19 districts; providing for codification; and providing
20 and effective date.

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

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 509.1A of Title 70, unless there
24 is created a duplication in numbering, reads as follows:

A. For purposes of this section, "labor organization" means any
organization in which employees participate and that exists in whole
or in part to deal with one or more employers concerning grievances,
labor disputes, wages, hours of employment, or working conditions.

1 B. A board of education or an administrator of a local school
2 district shall not enter into a collective bargaining contract with
3 a labor organization regarding wages, hours, or conditions of
4 employment of school district employees. This prohibition shall
5 also apply to renewals or extensions of any existing contracts.

6 C. A contract entered into, extended or renewed in violation of
7 subsection B of this section shall be void and unenforceable.

8 D. A board of education or an administrator of a local school
9 district shall not recognize a labor organization as the bargaining
10 agent for a group of school district employees.

11 E. School district employees shall not strike nor engage in an
12 organized work stoppage against a school district.

13 F. A school district employee who violates subsection E of this
14 section shall forfeit all rights, benefits and privileges of school
15 district employment.

16 G. The right of a school district employee to cease work shall
17 not be abridged if the employee is not acting in concert with others
18 in an organized work stoppage.

19 H. A individual shall not be denied employment with a school
20 district because of the individual's membership or nonmembership in
21 a labor organization.

22 I. This section shall not impair the right of school district
23 employees to present grievances concerning their wages, hours of
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1 employment, or conditions of work either individually or through a
2 representative that does not claim the right to strike.

3 SECTION 2. REPEALER 70 O.S. 2001, Sections 509.1, 509.2,
4 as amended by Section 7, Chapter 439, O.S.L. 2008, 509.2a, 509.3,
5 509.6, 509.7, 509.8, 509.9, 509.10 and Section 12, Chapter 432,
6 O.S.L. 2005 (70 O.S. Supp. 2010, Sections 509.2 and 509.11), are
7 hereby repealed.

8 SECTION 3. This act shall become effective November 1, 2011.

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