

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 597

By: Dahm

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7 COMMITTEE SUBSTITUTE

8 An Act relating to school employee organizations;
9 prohibiting certain existing organizations from
10 continuing to represent certain employees; requiring
11 a school district board of education to direct
12 certain election to certify the existing
13 organization; directing the board of education to
14 determine how the election shall be conducted;
15 authorizing the board of education to establish a fee
16 schedule to fund the election; providing for
17 decertification of an organization if it fails to
18 receive a sufficient number of votes; providing for
19 continuation of certain terms of certain contract if
20 an organization is decertified; allowing school
21 district employees to certify a new employee
22 organization under certain circumstances; requiring
23 elections to be held during certain time frame;
24 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 509.12 of Title 70, unless there
is created a duplication in numbering, reads as follows:

A. No existing employee organization established pursuant to
the provisions of Section 509.2 of Title 70 of the Oklahoma Statutes

1 shall continue to represent employees as defined in Section 509.2 of
2 Title 70 of the Oklahoma Statutes or Section 1-116 of Title 70 of
3 the Oklahoma Statutes after December 31, 2018, except as provided
4 for in this section.

5 B. 1. A school district board of education shall hold a secret
6 ballot election for all employees in any bargaining unit represented
7 by an existing employee organization to determine whether the
8 organization retains support of a majority of all employees in the
9 bargaining unit.

10 2. The school district board of education shall determine
11 whether elections shall be conducted in person, by mail, by
12 telephone, by Internet-based systems or by any other means
13 determined by the board of education to be fair, confidential and
14 reliable. The board of education shall allow employees in the
15 bargaining unit to cast ballots for a period of five (5) business
16 days.

17 3. The school district board of education may establish a fee
18 schedule, consistent with the provisions of Section 509.2 of Title
19 70 of the Oklahoma Statutes, for employee organizations subject to
20 elections conducted pursuant to the provisions of this section for
21 the purpose of funding the election.

22 C. If a majority of all employees in the bargaining unit vote
23 in favor of retaining the existing employee organization, the
24 organization shall remain the representative of employees in the

1 bargaining unit pursuant to the provisions of Section 509.2 of Title
2 70 of the Oklahoma Statutes. If a majority of all employees in the
3 bargaining unit do not vote in favor of retaining the existing
4 employee organization, the school district board of education shall
5 no longer recognize the organization as the representative of
6 employees in the unit and the employees shall be unrepresented.

7 D. When an existing employee organization is no longer
8 recognized, the terms of any pre-existing contract between the
9 employee organization and the school district employees represented
10 by the organization shall continue and remain in effect for the
11 remaining contract term, except for any provisions involving in any
12 manner the employee organization including but not limited to
13 organization security, dues and fees, grievances and arbitration.

14 E. A school district board of education may recognize a new
15 employee organization in accordance with the provisions of Section
16 509.2 of Title 70 of the Oklahoma Statutes, but the new employee
17 organization may not be substantially similar to or affiliated with
18 an employee organization that has lost recognition pursuant to the
19 provisions of subsection C of this section for twelve (12) months
20 from the date of the loss of recognition.

21 F. The school district board of education shall hold an
22 election to certify majority support of existing employee
23 organizations no earlier than August 1, 2018, and no later than
24 December 1, 2018, and at least once every ten (10) years thereafter.

1 Elections shall occur no earlier than August 1 and no later than
2 December 1.

3 SECTION 2. This act shall become effective July 1, 2017.

4 SECTION 3. It being immediately necessary for the preservation
5 of the public peace, health or safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

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