

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1767

			Of the printed Bill
Page	<u>2</u>	Section	<u>1</u>
		Lines	<u>11-14</u>
			Of the Engrossed Bill

By deleting all the words beginning on line 11 with the word "determine" through the word "be" on line 14 and adding in lieu thereof the words "conduct the election in person at one or more locations in a manner that is"

And Page 2, Section 1, Line 16 by deleting the word "five (5)" and adding in lieu thereof the word "two (2)"

And Page 2, Section 1, Lines 18-20 by deleting all the words beginning on line 18 with the word "establish" through the word "organizations" on line 20 and adding in lieu thereof the words "charge a fee of not more than Two Hundred and Fifty Dollars (\$250.00) to an existing employee organization"

And Page 2, Section 1, Line 22 by deleting the word "funding" and adding in lieu thereof the words "paying for the costs of"

And Page 3, Section 1, Line 7 by deleting the words "and the employees shall be unrepresented"

And Page 3, Section 1, Lines 15-21 by deleting subsection E in its entirety and inserting in lieu thereof a new subsection E [SEE ATTACHED]

And Page 4, Section 2, Line 3 1/2 by inserting a new Section 2 of the bill to read as follows [SEE ATTACHED]

And by renumbering the subsequent sections.

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Todd Russ

Adopted: _____

Reading Clerk

1 "E. A school district board of education that holds a
2 recertification election pursuant to this section shall include on
3 the same ballot a secondary election where employees may choose a
4 new employee organization or choose to have no employee
5 organization, but such a secondary election shall only be required
6 if one or more proposed new employee organizations qualify to be
7 included on the ballot. Proposed new employee organizations shall
8 qualify to be included on the ballot if at least fifteen percent
9 (15%) of the employees in the bargaining unit petition the board in
10 support of including the organization and the organization is not
11 directly or indirectly affiliated with the current employee
12 organization. In such a secondary election, the choices shall
13 include "None" and shall be listed after the statement, "If the
14 current employee organization is not recertified, you may vote to
15 certify one of the following organization(s) or for no
16 organization." If a majority of all employees in the bargaining
17 unit vote in favor of one of the proposed employee organizations,
18 the board of education shall recognize the organization as the
19 exclusive representative of all the employees in such unit no later
20 than fourteen (14) days after such an election.

21 SECTION 2. AMENDATORY 70 O.S. 2011, Section 5-139, is
22 amended to read as follows:

23 Section 5-139. School districts shall make payroll deductions
24 for either or both professional organization dues and political

1 contributions upon the request of any school employee and shall
2 transmit deducted funds to the organization designated by the school
3 district employee. Such deductions shall be on a ten-month basis
4 unless otherwise designated by the employee organization. However,
5 a school employee may request in writing at any time for the school
6 district to immediately terminate or initiate payroll deductions to
7 a professional organization. Upon receipt of a any written request,
8 including via email or fax, the school district shall within five
9 (5) business days or by the next pay period, whichever is earlier,
10 terminate or initiate any future payroll deductions of the
11 requesting school employee to a professional organization. Upon
12 receipt of such a written request the school district shall notify
13 the professional organization of the initiation or termination of
14 payroll deductions within fifteen (15) business days. If the
15 request is to terminate a deduction, the school district shall not
16 make any advance payments to any professional organization of any
17 future dues on behalf of the school employee. No school district
18 policy or negotiated agreement shall place any other conditions or
19 requirements, including personal hand delivery, upon any employee to
20 initiate or terminate any payroll deduction to a professional
21 organization except for a written request as outlined in this
22 section. Any school district policy or provision in a negotiated
23 agreement that places additional conditions or requirements for
24 initiation or termination beyond that outlined in this section shall

1 be null and void. Should any school district fail to terminate
2 payroll deductions for an employee in accordance with this section,
3 that school district shall be immediately required to reimburse to
4 the employee the amount of all payroll deductions made by the school
5 district after the employee's request for termination of the payroll
6 deduction, and such amount due the employee shall double every
7 thirty (30) days until paid."

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9 56-1-7324 EK 03/20/17