

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 264

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO SCHOOL DISTRICT LABOR NEGOTIATIONS; AMENDING SECTION 33-1271, IDAHO CODE, TO REVISE PROCEDURES REGARDING NEGOTIATIONS BETWEEN SCHOOL DISTRICTS AND LOCAL EDUCATION ORGANIZATIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 33-1271, Idaho Code, be, and the same is hereby amended to read as follows:

33-1271. SCHOOL DISTRICTS -- PROFESSIONAL EMPLOYEES -- NEGOTIATION AGREEMENTS. The board of trustees of each school district, including specially chartered districts, or the designated representative(s) of such district, is hereby empowered to and shall, upon its own initiative or upon the request of a local education organization representing a majority of the professional employees, enter into a negotiation agreement with the local education organization or the designated representative(s) of such organization.

(1) The parties to such negotiations shall negotiate in good faith on those matters specified in any such negotiation agreement between the local board of trustees and the local education organization.

(2) A request for negotiations may be initiated by either party to such negotiation agreement.

(3) Upon either party making a request for negotiations, the local education organization, upon board request and prior to the commencement of negotiations, shall provide to the district written evidence establishing that ~~the local education organization represents fifty percent (50%) plus one (1) of the professional employees for negotiations. If requested by the board, the local education organization shall establish this representative status on an annual basis, prior to the commencement of negotiations:~~

(a) Within the last two (2) years, the local education organization held an election wherein votes were cast by secret ballot and counted by an independent third party;

(b) At that election, a majority indicated that they approved of being represented by that local education organization; and

(c) Those voting in support of being represented by the local education organization comprise fifty percent (50%) plus one (1) of all professional employees in the district.

(4) Accurate records or minutes of the proceedings shall be kept and shall be available for public inspection at the office of the affected school district during normal business hours.

(5) Joint ratification of all final offers of settlement shall be made in open meetings. Each party must provide written evidence confirming to the other that majority ratification has occurred.