



**General Government Steering Committee**  
**Thursday, April 7, 2022 | 10:15 AM – 12:15 PM (approx.)**

Addendum added 4/6/2022

*Additional Items may be added until Thursday 4/7*

<b>Bill Draft, Collective Bargaining Counties &amp; Higher Education</b>			
<b>H-Spon</b>	D. Esgar	<b>S-Spon</b>	S. Fenberg
<b>Summary</b>	<p>The bill grants the public employees of a county or a state institution of higher education (public employers) the right to:</p> <ul style="list-style-type: none"> <li>• Organize, form, join, or assist an employee organization or refrain from doing so;</li> <li>• Engage in collective bargaining;</li> <li>• Engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection;</li> <li>• Communicate with other public employees and with employee organization representatives and receive and distribute literature regarding employee organization issues; and</li> <li>• Have an exclusive representative at formal discussions concerning a grievance, a personnel policy or practice, or any other condition of employment.</li> </ul> <p>The bill:</p> <ul style="list-style-type: none"> <li>• Grants the exclusive representative of public employees the right to access public employees at work, through electronic communication, and other means, including employee orientations;</li> <li>• Requires public employers to honor employee authorizations for payroll deductions for the exclusive representative;</li> <li>• Clarifies that the bill does not impair specific rights of public employers unless otherwise agreed to in a collective bargaining agreement;</li> <li>• Requires the director of the division of labor standards and statistics in the department of labor and employment (director) to enforce, interpret, apply, and administer the provisions of the bill, and in doing so, hold hearings, and impose administrative remedies;</li> <li>• Via the Director of the Division of Labor Standards &amp; Statistics             <ul style="list-style-type: none"> <li>▪ Authorizes the director or any party of interest to request that a district court to enforce orders made pursuant to this bill;</li> <li>▪ Sets forth the process by which an employee organization is certified and decertified as the exclusive representatives of public employees;</li> <li>▪ Sets the process by which an appropriate bargaining unit is determined; and</li> </ul> </li> <li>• Requires the public employer and the exclusive representative to collectively bargain in good faith.</li> </ul> <p>The bill states that the collective bargaining agreement is an agreement negotiated between an exclusive representative and a public employer that:</p> <ul style="list-style-type: none"> <li>• Must be for a term of at least 12 months and not more than 60 months;</li> <li>• Must include a provision that prohibits disciplinary action against a public employee unless there is just cause; and</li> <li>• Must provide a grievance procedure that culminates in final and binding arbitration.</li> </ul> <p>The bill prohibits a collective bargaining agreement from:</p>		

	<ul style="list-style-type: none"> <li>• Delaying the prompt interviewing of public employees under investigation from incidents involving violence;</li> <li>• Permitting an employee from using paid time for a suspension from employment;</li> <li>• Permitting the expungement of disciplinary records under certain circumstances; and</li> <li>• Imposing limits on the period of time for which an employee may be disciplined for incidents of violence.</li> </ul> <p>The bill describes the (non-binding) dispute resolution process that the exclusive representative and a public employer must follow if an impasse arises during the negotiation of a collective bargaining process.</p> <p>The bill sets forth the actions taken during the collective bargaining process by a public employer or an exclusive representative that are unfair labor practices.</p>
<b>Status</b>	Not yet introduced; given its sensitivity and the expected introduction, especially given the point of the Legislative Session, we are pre-emptively taking a position on this draft (dated 3-29-2022). Should substantive changes occur between this draft and the introduced version, an emergency Steering Committee shall occur. Otherwise, CCI's position on the draft shall carry forward/
<b>Position</b>	Pending

Related Business:

- Commissioner Actions
  - Submit an op-ed to your local paper
    - Proposed language available
  - Contact your Representatives & Senators (via e-mail, call, & in-person meeting)
    - Talking points available
  - Sign up to testify when the bill is in committee, preferably in-person
    - Contact Katie First to commit ([kfirst@ccionline.org](mailto:kfirst@ccionline.org), M: 614-774-6261)