

HB 1722 -- CERTIFICATION OF EXCLUSIVE BARGAINING REPRESENTATIVES
FOR PUBLIC EMPLOYEES

SPONSOR: Wiemann

This bill requires the State Board of Mediation within the Department of Labor and Industrial Relations to conduct an election by secret ballot to certify the exclusive bargaining representatives of an appropriate collective bargaining unit for certain public employees every two years. Each association participating in the election shall be assessed a fee, determined by the size of the bargaining unit. If no representative receives at least 51% of the vote in favor of certification or recertification, the board will decertify the current representative, if any. If a representative is decertified the affected employees may not be included in a substantially similar collective bargaining agreement for 12 months from the date of decertification.

Labor agreement meetings between a public body and an employee association will be considered a public meeting, and any document presented during such meeting will be considered public record, as specified in the bill. This provision does not apply to meetings during which a public body is planning or adopting strategies.

Any employee association that represents employees in a labor agreement meeting and collects money from employees must adopt and file with the State Board of Mediation a constitution, bylaws, and a report containing certain specified information explained in this bill. For new employee associations the adopting and filing must take place within 90 days of the formation of the association. For existing employee associations, the adopting and filing must take place no later than November 27, 2016. An annual report, prepared by an independent auditing organization, must also be filed with the State Board of Mediation containing certain specified information explained in this bill no later than 90 days after the end of the association's fiscal year. Failure to comply with the provisions of this bill will result in various specified penalties including, but not limited to, refunding all money collected from represented employees and invalidating any labor agreement between a public body and the employee association.

This bill is similar to SB 806 (2016).