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ABSTRACT

This booklet presents a comprehensive summary of all state laws affecting collective bargaining for educational personnel that had been passed as of November 1975. Most of the booklet consists of an extensive chart that summarizes on a state-by-state basis the scope and provisions of all current collective bargaining laws affecting education. This is basically the same chart that appeared in the 1975 "Legislator's Guide to Collective Bargaining in Education," updated to reflect the changes that occurred during 1975. In addition to the main legislation chart, there is also a summary table that shows which states have collective bargaining laws covering different levels of education, a glossary of key terms used in the chart, and a summary of provisions of the federal National Labor Relations Act and the proposed National Public Employment Relations Act. (JG)

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1976 Update:

# *Collective Bargaining in Education*

## *A Legislator's Guide*



Education Commission of the States

*A Joint Publication of*

*Department of Research and Information Services*

*and*

*Department of Higher Education Services*

*January 1976*

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**'76 UPDATE:  
COLLECTIVE BARGAINING IN EDUCATION**

**A Legislator's Guide**

**Report No. 78**

**(An update of A Legislator's Guide to Collective Bargaining in Education; Research Brief Vol. 3, No. 4, published in January 1975)**

Prepared by Doris Ross

A Joint Publication of  
Department of Research and Information Services  
Russell B. Vlaanderen, Director  
and  
Department of Higher Education Services  
Richard M. Millard, Director

Education Commission of the States  
Denver, Colorado 80203  
Wendell H. Pierce, Executive Director

January 1976

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*Additional copies of this report may be obtained for \$2 from the Education Commission of the States, Suite 300, 1860 Lincoln Street, Denver, Colorado 80203 (303) 893-5200*

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# Credits

Thomas A. Emmet, special assistant to the president, Regis College, Denver, has provided special consultative help in the tracking and charting of state legislation.

A special reference in the preparation of the state legislation chart was the *Government Employee Relations Report* published by the Bureau of National Affairs, Inc., Washington, D.C.

Other basic information for this report was drawn from resources developed through the ECS Legislative Information System and state education codes.

# Introduction

Collective bargaining for public employes was one of the big legislative issues in 1975. The Research and Information Services Department of ECS identified during the year some 45 states that considered collective bargaining legislation affecting education personnel. But as busy as the year was for state legislators and special interest groups, the broad negotiations picture for education remains essentially the same. The 19 states identified at the end of 1974 as having no mandatory collective bargaining or meet and confer coverage for any sector of their public education personnel have retained their status quo. There are also 19 states with "right to work" laws. Twelve of these have no collective bargaining laws affecting education. The others—Florida, Iowa, Kansas, Nebraska, Nevada, North Dakota and South Dakota—have laws covering at least one area (see summary table on p 5 ). It should be noted that, with or without enabling legislation, collective bargaining *is* being practiced across the nation.

Much legislative activity was apparent in the ECS overview of state sessions. Over 300 bills were considered on collective bargaining. About 120 of these bills, a number of them in "no bargaining" states, were fairly comprehensive proposals for at least one sector of education personnel. Bills addressing union security and employe rights were high in legislative interest, while management rights received little attention. Close to 90 bills sought solutions for the problem of impasse settlement; these included 34 proposing some form of binding arbitration, 32 providing penalties for strikes and the remainder supporting public employe strike rights. Fourteen bills would have

curtailed the scope of bargaining (see Nevada in state charts), while 10 would have expanded the negotiable areas.

Over the past few years, some postsecondary education institutions have been including students in the bargaining process, usually by mutual agreement of both parties. And in 1975, two states, Montana and Oregon, passed laws permitting such student participation.

State legislatures that began the year with education-related bargaining laws already on the books evidenced some mood for change, which was probably brought about by actual experience with the negotiations process, disruptive strikes and a tight and unpredictable economy, along with the political realities of the public employe bargaining issue. Montana, for example, pulled its collective bargaining structure together into a comprehensive omnibus public employe law, leaving only nurses with separate coverage. California moved from meet and confer status for school district personnel to collective bargaining for K-14 employes. New Hampshire, which last year covered only nonacademic classified state personnel (postsecondary education), passed an omnibus law encompassing the rest of the public-education community, including postsecondary faculty and most K-12 personnel.

Maine's Maritime Academy is apparently the only public postsecondary area now excluded from bargaining in that state; a 1975 university employes bargaining rights act pulled in most employes of the state university system. Connecticut extended bargaining rights to its postsecondary education employes with a new law. Indiana's new public employe law includes most classified education personnel. Washington passed a new K-12 professional employe law and established a public employment relations commission to administer it and other collective bargaining statutes. Many other states amended existing negotiations laws.

With about 150 teacher strikes reported in 1975, legislators have been wrestling—and will continue to do so in 1976—with the issues of strike rights and binding arbitration. A scan of the state charts identifies 4 states—Hawaii, Oregon, Pennsylvania and Vermont—that provide some kind of strike rights, 22 states that prohibit strikes in at least one education-related law, and 5 states that do not address the strike issue. ECS counts 15 states with legal provisions for binding arbitration—either permissive or mandatory, partial or total—of negotiations impasses.



Last year's brief provided a short discussion of two federal public employe bargaining proposals, one placing public employes under the National Labor Relations Act and the other providing separate and specific coverage. Both bills died in committee at the end of the 93rd session but were re-introduced in the 94th as H.R. 77 (NLRA) and H.R. 1488. A charted analysis of the NLRA and H.R. 1488 are included in this book. Two days of hearings were held in November 1975 on H.R. 77 only; no hearings are anticipated in 1976 for either of the federal approaches. Thus it appears that the 50 states will have at least another year to develop individual approaches to the issue.

The collective bargaining story obviously has not yet settled into an uneventful rut. Proponents of bargaining rights will continue to struggle for a toehold, however minor, in those states without laws, while others in opposition to the concept will dig in resistant heels. In states with bargaining laws, new legislative sessions will see the acceptance or rejection of another spate of amendatory proposals to tighten or loosen, expand or repeal, the coverage already on state books.

## SUMMARY TABLE

### States With Mandatory Laws Fully or Partially Covering Education Personnel

#### Meet and Confer

##### Elementary/Secondary (K-12)

<i>Professional</i>	<i>Classified</i>
Connecticut †Kansas	†Kansas Missouri
Delaware Nebraska	
Idaho Vermont	

##### Postsecondary

<i>Professional</i>	<i>Classified</i>
Delaware †Kansas	†Kansas Missouri

#### Collective Bargaining

##### Elementary/Secondary (K-12)

<i>Professional</i>	<i>Classified</i>
Alaska †Nevada	California New Hampshire
California New Hampshire	†Florida New Jersey
†Florida New Jersey	Hawaii New York
Hawaii New York	Indiana Oklahoma
Indiana †North Dakota	†Iowa Oregon
†Iowa Oklahoma	Maine Pennsylvania
Maine Oregon	*Maryland <sup>1</sup> Rhode Island
*Maryland Pennsylvania	Massachusetts †South Dakota
Massachusetts Rhode Island	Michigan Vermont
Michigan †South Dakota	Minnesota Washington
Minnesota Washington	Montana Wisconsin
Montana Wisconsin	†Nevada

##### Postsecondary

<i>Professional</i>	<i>Classified</i>
Alaska †Nebraska	Alaska †Nebraska
California <sup>2</sup> New Hampshire	California <sup>2</sup> New Hampshire
Connecticut New Jersey	Connecticut New Jersey
†Florida New York	†Florida New York
Hawaii Oregon	Hawaii Oregon
†Iowa Pennsylvania	Indiana Pennsylvania
Maine <sup>3</sup> Rhode Island	†Iowa Rhode Island
Massachusetts †South Dakota	Maine <sup>3</sup> †South Dakota
Michigan Vermont <sup>4</sup>	Massachusetts Vermont <sup>4</sup>
Minnesota Washington <sup>2</sup>	Minnesota Washington <sup>2</sup>
Montana Wisconsin <sup>2</sup>	Montana Wisconsin

†"Right to work" state

<sup>1</sup>Shown as meet and confer in prior chart; reclassified on advice of Maryland consultant.

<sup>2</sup>12 of 23 counties covered; Baltimore has separate procedures.

<sup>3</sup>Community colleges or two-year institutions only.

<sup>4</sup>Maine Maritime Academy excluded.

<sup>5</sup>All state university personnel excluded.

**SUMMARY TABLE cont.**

**States With No Mandatory Collective Bargaining Laws  
Covering Education Personnel**

Alabama	Illinois	North Carolina	Utah
Arizona	Kentucky	Ohio	Virginia
Arkansas	Louisiana	South Carolina	West Virginia
Colorado	Mississippi	Tennessee	Wyoming
Georgia	New Mexico	Texas	

# *Guide to State Legislation Chart*

## **State Keys**

In the first column of the state charts ("State and Statutory Reference: Identification"—see p. 6) and below each citation is a quick identification key. On the top line is the type of coverage in the law:

- CB = Collective Bargaining. The process which requires of two parties, the employer and the designated employee collective bargaining agent, that they perform mutual obligations aimed toward the arrival of a written and binding contract.
- MC = Meet and Confer. The process which requires of two parties, the employer and the employee, that they consult together on matters defined by law. Binding contracts and binding arbitration are not generally required.

On the left side of the second line is the level of education personnel covered:

- K-12 = Employees serving kindergarten through grade 12.
- PS = Employees serving at the college and university level.
- CC = Employees serving at the community college, or two-year institution, level.

On the right side of the second line is the employment level of covered personnel:

- P = Professional employe, generally a certified teacher or one with similar or higher status.
- C = Classified employe, generally below the rank of a certified teacher, i.e., clerks, food employes, bus drivers, custodians, paraprofessionals.

For example, the chart key for California may be interpreted as follows:

CB		=	A Collective Bargaining Law	
K-12 CC	P-C		For personnel serving kindergarten through grade 14	Professional and classified personnel are covered

### Glossary of Chart Terms

- Agency Shop:** An arrangement under which an employe within the scope of the bargaining unit does not have to become a member of the unit, but must pay a service fee.
- Arbitration:** A procedure whereby parties unable to agree on a solution to a problem indicate their willingness to be bound by the decision of a third party. The parties usually agree in advance on the issues which the third party (arbitrator) is to decide.
- Bargaining Unit:** A group of employes organized as a single unit and having a single representative to the employer.
- Court Review:** The means through which a court of appropriate jurisdiction may consider and rule upon actions or findings of a labor relations board.
- Dues Checkoff:** Deduction of bargaining unit dues from members' paychecks.
- Grievance:** An allegation by an employe or by the union that the employer or one of its agents, in the process of implementation of the contract, is guilty of misapplication, misinterpretation or violation of one or more specific provisions of the existent contract.

- Impasse:** That stage in negotiations at which the two parties are, or appear to be, unable to achieve resolution of the issues still on the bargaining table.
- Injunctive Relief:** An order by a court to perform or cease to perform a specific activity.
- Management Rights:** Certain rights, privileges, responsibilities and authority requisite to the conduct of an enterprise by its management.
- Mediation:** That form of impasse resolution in which a third party meets with the two parties to the dispute, together and/or separately, in order to perform a catalytic function in an effort to effect an agreement.
- Recognition:** The accomplishment of the status of collective bargaining agent for a unit of defined extent.
- Representation:** Exclusive representation means that the bargaining unit recognized by the employer is the sole representative of employees within a defined category.
- Scope of Bargaining:** Bargainable items: the limits, if any, of the appropriate subject matter of bargaining. If such are not set by law, they are determined by the interaction at the bargaining table.
- Service Fee:** Payment to the bargaining unit, either directly or through paycheck deduction, by a non-member eligible for inclusion in the bargaining unit, of a fee substantially equivalent to member dues.
- Strike:** A concerted work stoppage, usually used as an effort in time of impasse to accomplish a contract on terms acceptable to the union.

- Unfair Practices:** Practices prohibited under either collective bargaining law or under rules and regulations responsibly determined by the appropriate agency administering the law. "Standard" unfair practices include interference, restraint, coercion, discrimination, etc. as practiced by either employer or employee.
- Union Security:** The right of a recognized bargaining unit to have its members' dues deducted from paychecks, to collect a service fee from nonmembers, to require employee membership in the bargaining unit, or any combination of these rights.
- Union Shop:** The form of union security agreement under which one need not be a member of the union on initial employment but must, within a limited period of time, become and remain a member for the duration of the contract, as a condition of continuing employment.

# *State Collective Bargaining Laws Affecting Education*

## **ABOUT THIS CHART —**

Frankly, it is a "paste-up." To avoid costly typesetting charges, we have cut up and pasted over the ECS chart printed in the January 1975 "A Legislator's Guide to Collective Bargaining in Education," using this type style (slightly different from the original) to indicate additions, clarifications and corrections. The laws have been updated to the best of our knowledge through November 1975.



# STATE COLLECTIVE BARGAINING

State and Statutory Reference; Identification	Coverage; Employee Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
<b>ALABAMA</b>				
<hr/>				
<b>ALASKA</b> § A 14.20.550 through A 14.20.610	All certified employees K-12 level	All certified employees; superintendents excluded. Certified administrative personnel, including principals, asst. principals may bargain separately. Exclusive representation; no union security	Local school boards or directors of state-operated schools	Matters pertaining to employment and fulfillment of professional duties
<hr style="border-top: 1px dashed black;"/>				
<b>CB</b> K-12   P				
<b>ALASKA</b> Public Employment Relations Act: § 23.40.010 through 23.40.240	All public employees, including professional and classified postsecondary personnel	Units determined by Labor Relations Agency. Exclusive representation; union shop, dues checkoff, service fees permitted	Labor Relations Agency: Department of Labor	Wages, hours, terms and conditions of employment. Merit system retention
<b>CB</b> PS   P-C				
<hr/>				
<b>ARIZONA</b>				
<hr/>				
<b>ARKANSAS</b>				
<hr/>				

# LAWS AFFECTING EDUCATION

November 1975

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
				A statutory prohibition of public employe membership in labor unions was declared unconstitutional in 1972. State has fire-fighters bargaining: Tit. 37, § 450(3)
Professional mediators provided	Must be bargained. Must provide binding arbitration	No specific provisions	Final agreement must be made at public meeting. No deadline specified	
Mediation; arbitration	Must be bargained. Must provide binding arbitration	"Standard" provisions (no interference, restraint, coercion, discrimination, etc.). Injunctive relief. Strikes permitted after mediation; to be followed by binding arbitration	Written agreement not to exceed 3 years. No deadline specified	Bargained items requiring funding are subject to legislative approval.
				State has no public employe collective bargaining legislation.
				State has no public employe collective bargaining legislation.

State and Statutory Reference; Identification	Coverage; Employee Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights						
<b>CALIFORNIA</b> Education Employees Collective Bargaining: SB 160, 1975  <table border="1"> <tr><td colspan="2">CB</td></tr> <tr><td>K-12</td><td>P-C</td></tr> <tr><td>CC</td><td></td></tr> </table>	CB		K-12	P-C	CC		All public school employees except elected, appointed, managerial and confidential. K-14 professional and classified	Separate units for classified, certificated and supervisors. Certificated and supervisors may not have same bargaining agent. Exclusive representation. Dues check-off, service fees permitted	Educational Employment Relations Board: 3 members appointed by governor	Wages, hours, 7 other terms of employment as defined in act. Certificated may <i>consult only</i> on educational objectives, course content, curricula, textbook selection. School board has final authority on employe relations
CB										
K-12	P-C									
CC										

**COLORADO**

<b>CONNECTICUT</b> General Statutes Annotated: § 10-153a through 10-153g  <table border="1"> <tr><td colspan="2">MC</td></tr> <tr><td>K-12</td><td>P</td></tr> </table>	MC		K-12	P	All certified professional employees of town and regional boards of education except superintendents and persons responsible for budget preparation, personnel relations and temporary substitutes. K-12 level	Separate units for administrators and non-administrators may be combined only by mutual agreement. Exclusive representation. No union security	Local and state boards of education	Salaries and other conditions of employment about which either party wishes to meet and confer
MC								
K-12	P							

<b>CONNECTICUT</b> State Employee Collective Bargaining: PA 75-566 (SHB 5179, 1975)  <table border="1"> <tr><td colspan="2">CB</td></tr> <tr><td>PS</td><td>P-C</td></tr> <tr><td>CC</td><td></td></tr> </table>	CB		PS	P-C	CC		All state employees excluding elected, appointed, board and commission members, part-time, confidential, certain others. Supervisor coverage determined by SBLR. Post-secondary professional and classified	All covered employees. Community of interest. Professionals may vote to be in non-professional unit. State-wide units for 5 post-secondary classifications. Exclusive representation. Dues check-off, service fees permitted	State Board of Labor Relations: 3 members, 2 alternates appointed by governor	Wages, hours and other conditions of employment. Extensive management rights listed; state personnel agency authority protected
CB										
PS	P-C									
CC										

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation, fact-finding, advisory recommendations	May be bargained. EERB available. Binding arbitration on interpretation of agreement permitted	Standard provisions for unfair practices, injunctive relief, court review. Strikes prohibited through exclusion of act from Labor Code provisions	Written agreement not to exceed 3 years; not subject to civil code. No deadline specified	Act may not preempt Education Code. Other bargaining laws not covering education are: Public Employees, § 3500-3510 of Government Code; State Employees, § 3525-3526 of Government Code; and Firefighters, § 1960-1963 of Labor Code. A 1971 governor's executive order called for meeting and conferring with non-academic university and college employees on general salary increases, inequities, and general benefits.
Mediation by secretary of state board of education. Arbitration with nonbinding recommendations	No specific provisions	Standard provisions for unfair practices. Strikes prohibited; no penalties specified	Written agreement to be completed in time for budget-making process	State has no public employe collective bargaining legislation.  Agreement is binding on legislative body of town or regional district unless rejected by such body; renegotiation prescribed.  A meet and confer law.
Board of Mediation and Arbitration available. Mediation, factfinding, written recommendations	Board of Mediation and Arbitration procedures: factfinding, last best offer, binding arbitration	Standard provisions for unfair practices. Strikes prohibited	Written contract, in time for budget-making process	Request for funds and adjustment of statutory conflicts must be approved by legislative body, after which contracts prevail. Federal approval required where necessary.

State and Statutory Reference; Identification	Coverage; Employee Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
<b>CONNECTICUT</b> Municipal Employees Relations Act: PA 159, L 1959, last amended by PA 75-35, 1975.	Any employe of state political subdivision except elected, administrative, board and commission members, certified teachers, part-time and supervisors as determined by SBLR. Covers classified K-12	Appropriate units. Professionals may vote to be in nonprofessional unit. Exclusive representation. Dues checkoff permitted.	State Board of Labor Relations: 3 members, 2 alternates appointed by governor	Wages, hours and other conditions of employment. Management rights, merit system protected
MC K-12   C				
<b>DELAWARE</b> Code: Tit. 14, Ch. 40, § 4001-4013	All certificated non-administrative employes, excluding supervisory and staff personnel. K-12 level	All covered employes. Exclusive representation. Dues checkoff permitted	Local boards and state board of education	Salaries, employee benefits and working conditions must be bargained. May meet and confer on other matters as defined in act
MC K-12   P				
<b>DELAWARE</b> Code: Right of Public Employes to Organize: Tit. 19, Ch. 13, § 1301 through 1313	Any certificated professional employe of public school system of state; includes postsecondary	Unit determination not specified. Exclusive representation. Dues checkoff permitted	Department of Labor and Industrial Relations	Employe relations, wages, salaries, hours, vacations, sick leave, grievance procedures, other terms and conditions of employment
MC PS   P				
<b>FLORIDA</b> Statutes: Public Employee Relations Act: § 447.001 through 447.023	Public employes; K-12 and postsecondary levels included; professional and classified	Criteria listed for appropriateness of unit. Final review of unit termination by Public Employee Relations Commission. Exclusive representation. Dues checkoff permitted	Public Employee Relations Commission: 5 members appointed by governor	Wages, hours, terms and conditions of employment. Extensive management rights; merit system protected
CB K-12   P-C PS CC				
<b>GEORGIA</b>				

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation, factfinding through Board of Mediation and Arbitration. Written recommendations; final offer binding arbitration	May be bargained. Board of Mediation and Arbitration available. Mediation, factfinding, last best offer binding arbitration	Standard provisions for unfair practices. Strikes prohibited	Written contract in time for budget-making process if requested by either party	A meet and confer law. Request for funds and adjustment of legal or regulatory conflicts to be approved by legislative body, after which contracts prevail. Federal approval required where necessary.
Mediation, factfinding, nonbinding recommendations	No specific provisions	Unfair practices defined as any tactic which circumvents teacher contracts. Strikes prohibited, with loss of unit recognition for violation	Form of minimum 2-year agreement not specified. No deadline specified	A meet and confer law. If law is in conflict with other statutes, those statutes prevail.
State mediation service or arbitration. Wages and salaries excluded	May be bargained	Standard provisions for unfair practices. Strikes prohibited; no penalties specified	Written agreement. No deadline specified	A meet and confer law.
Mediation, "special master" for public hearings, factfinding. Settlement by appropriate legislative body	Must be bargained; must provide for binding disposition	Standard provisions for unfair practices; injunctive relief. Strikes prohibited, listed as unfair practice; injunctive relief; fines, damages, probation, loss of unit recognition for violation	Written contract. No deadline specified	Impasse to be declared if no agreement after 60 bargaining days or 70 days prior to budget submission date. Legislative last resort settlement of impasse. Legislature has right to approve, amend or rescind all rules of PERC.
				State has Firefighters Bargaining Law: Code of Georgia Annotated, § 54.1301 through 54.1315

State and Statutory Reference; Identification	Coverage; Employee Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights						
<p><b>HAWAII</b> Statutes: Public Employees Act: § 89-1 through 89-17</p> <table border="1" data-bbox="57 346 224 423"> <tr> <td colspan="2" data-bbox="127 346 161 368">CB</td> </tr> <tr> <td data-bbox="57 377 116 399">K-12</td> <td data-bbox="180 377 221 399">P-C</td> </tr> <tr> <td data-bbox="57 399 94 423">PS</td> <td></td> </tr> </table>	CB		K-12	P-C	PS		<p>Any person employed by a public employer except elected and appointed officials and top level management. K-12 and postsecondary levels; professional and classified</p>	<p>13 categories of appropriate units listed, including teachers and other personnel on same salary schedule; education officers and others on same salary schedule; faculty of University of Hawaii &amp; Community College System; other postsecondary personnel. Exclusive representation; Dues checkoff, service fee permitted</p>	<p>Public Employment Relations Board: 3 members 1 management, 1 labor, 1 public, appointed by governor, Office of collective bargaining with chief negotiator established within governor's office</p>	<p>Wages, hours, other terms and conditions of employment. Specific exclusions. Extensive management rights; merit system protected</p>
CB										
K-12	P-C									
PS										
<p><b>IDAHO</b> Code: § 33-1271 through 33-1276</p> <table border="1" data-bbox="57 847 180 901"> <tr> <td colspan="2" data-bbox="107 847 141 869">MC</td> </tr> <tr> <td data-bbox="57 877 116 901">K-12</td> <td data-bbox="157 877 176 901">P</td> </tr> </table>	MC		K-12	P	<p>Certificated employes of school districts. K-12 level</p>	<p>Superintendents, supervisors and principals may be excluded from professional employe group by agreement. Exclusive representation. No union security</p>	<p>Local board of trustees of school district.</p>	<p>Specified in agreement. School board "necessary action" protected</p>		
MC										
K-12	P									

**ILLINOIS**

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation, fact-finding; may culminate in binding arbitration by mutual agreement	May be bargained. Must culminate in final binding agreement	Standard provisions for unfair practices. Strikes permitted after factfinding if no arbitration occurs	Written contract. Reasonable effort must be made to conclude prior to legislative appropriation of cost items Expiration date of contracts must be June 30 of odd years	Students and student help of state institutions excluded from act.  Terms of agreement within legal scope of bargaining prevail over existing rules and regulations of employer.  Act takes precedence over all conflicting statutes; preempts all contrary local regulation.
Mediation, factfinding, nonbinding recommendations	No specific provisions	No specific provisions	Final form not specified. No deadline specified	A meet and confer law.  Powers, duties and responsibilities of legislature, state board of education, local boards are protected  State has firefighters bargaining act: Ch. 138, L1970.  State has no public employe collective bargaining legislation.  Under a 1966 judicial ruling, teachers and local employes may bargain collectively. State universities have conducted bargaining under personnel code. State executive branch employes, under 1973 executive order, may negotiate wages, hours and certain conditions of employment not regulated by law.  HB 1343 of 1975 allows Chicago school board and employes to bargain.



State and Statutory Reference; Identification	Coverage; Employee Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
<b>INDIANA</b> Burns Annotated Statutes: § 28-4551 through 28-4564  <b>CB</b> K-12   P	Certificated employes. Supervisors, confidential employes, security employes and noncertificated employes excluded. K-12 level	Certificated employe organization. Exclusive representation. Dues checkoff permitted	Education Employment Relations Board: 3 members appointed by governor	Salaries, wages and related fringe benefits, hours. Deficit financing prohibited. Extensive management rights listed
<b>INDIANA</b> Public Employe Labor Relations: Ch. 4, IC 22-6 (HB 1298, 1975)  <b>CB</b> K-12   C PS	Employes of political subdivisions of state except appointed or elected, police, fire, engineers, university faculty, certificated K-12, confidential, municipal or county health care. Covers K-12 and postsecondary classified	All covered employes. Units may not include supervisors with other employes. Majority membership required for exclusive representation. Dues check-off permitted	Education Employment Relations Board: 3 members appointed by governor	Wages, hours and other terms and conditions of employment. Extensive management rights listed
<b>IOWA</b> SF 531 of 1974  <b>CB</b> K-12   P-C PS	Public employes, excluding administrators, supervisors, superintendents, principals, asst. principals, elective officials, certain students. K-12 and postsecondary levels; professional and classified	Professional and nonprofessional employes; separate or single unit by agreement. Exclusive representation. Dues checkoff permitted	Public Employment Relations Board: 3 members appointed by governor	Wages, hours, terms and conditions of employment, including health, safety, evaluation, in-service training, mutually agreed-upon matters. Retirement excluded. Extensive management rights listed
<b>KANSAS</b> Revised Statutes: § 72-5413 through 72-5425  <b>MC</b> K-12   P CC	All professional employes. K-12 and community college levels	Separate teacher and administrator units. State board to settle unit determination disputes. Exclusive representation. No union security	State board of education	Terms and conditions of professional service

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation and factfinding by Education Employment Relations Board	May be bargained. May be subject to binding arbitration; change in contract prohibited. Complaints to and hearing by EERB	Standard provisions for unfair practices. Strikes prohibited, with no makeup time; salary loss, loss of dues checkoff for violation	Written contract. If agreement is not reached 14 days before budget submission date, tentative individual contracts authorized; bargaining to continue	Contracts may not include provisions in conflict with rights or benefits established by federal or state law.
If not otherwise agreed, mediation and factfinding by EERB. Binding recommendations at request of either party. Final and binding arbitration permitted; last best offer provisions	May be bargained. May provide binding arbitration	Standard provisions for unfair practices. Strikes prohibited; pay loss, loss of dues checkoff for violation	Written contract if requested by either party	Contracts may not conflict with established federal or state law. Deficit financing prohibited.  A 1969 attorney general's opinion states that public employers, including boards of higher education, may not engage in collective bargaining until authorized by legislature.
Mediation, factfinding, binding arbitration	May be bargained; may provide binding arbitration	Standard provisions for unfair practices. Strikes prohibited; injunctive relief. Fines, dismissal, loss of organization recognition for violation	Final form not specified, must be made public. Impasse procedures must begin 120 days before budget submission date	Contract is not to be inconsistent with statutory limitations on public employer funds.  If provisions of act jeopardize federal funds to state, they are inoperative.
No specific provisions	May be bargained; may provide binding arbitration	No specific provisions for unfair practices. Strikes prohibited; no penalties specified	Final form not specified, but not to exceed 2 years. No deadline specified	A meet and confer law.  Supreme court ruled in 1973 that Act requires negotiation, not merely meeting and conferring; written agreement in master or individual contracts; binding on both parties.

State and Statutory Reference; Identification	Coverage; Employee Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
<b>KANSAS</b> Public Employe Law: Revised Statutes: § 75-4321 through 75-4337	Public employees. Classified K-12; professional and classified post-secondary included	Public employees, including supervisors by agreement. Exclusive representation. No union security	Public Employe Relations Board: 5 members; 1 public employe, 1 management, 3 at-large, appointed by governor	Conditions of employment, including salaries, wages, hours, etc.
<b>MC</b>				
<b>K-12</b>				<b>C</b>
<b>PS</b>				<b>P-C</b>

## KENTUCKY

## LOUISIANA

<b>MAINE</b> University Employes Bargaining Rights: Tit. 26, Ch. 12; § 1021-1034	Regular employes of University excluding appointed, confidential, probationary. Postsecondary professional and classified	Systemwide units for faculty; administrative; office/technical; service; police. Additional units may be added. Exclusive representation. Union security (except closed shop) may be bargained	Maine Labor Relations Board: 3 members, 6 alternates appointed by governor; 1 employer, 1 employe, 1 public	Wages, hours, working conditions, contract grievances, arbitration. Federal assistance protected
<b>CB</b>				
<b>PS</b>				<b>P-C</b>

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation, factfinding	May be bargained	Standard provisions for unfair practices. Strikes prohibited; injunctive relief	Written memo of agreement to be completed 14 days before budget submission date	A meet and confer law.
				<p>State has Firefighters Collective Bargaining Act; Kentucky Revised Statutes, Ch. 345 (cities over 300,000 or by petition); county policemen's collective bargaining (over 300,000); KRS Ch. 78.</p> <p>A 1965 attorney general's opinion (65-84) indicated a right of teachers to bargain collectively. Recent teacher attempts to organize have been refused by the courts and attorney general.</p> <p>A 1975 attorney general's opinion states governor is not authorized to grant bargaining rights to teachers' unions.</p>
				<p>State has no public employe collective bargaining legislation.</p>
Mediation, factfinding, binding arbitration except on cost items. MLRB available	Contract grievance arbitration must be bargained. Binding arbitration only on interpretation of agreement. Court Injunctive relief, court review	Standard provisions for unfair practices. Strikes prohibited, listed as unfair.	Written contract not to exceed 2 years. No deadline specified	<p>Prior to 1974, 6 vocational institutions under state department of education voluntarily negotiated faculty contracts.</p> <p>Maine Maritime Academy professional and classified excluded from bargaining rights.</p>

State and Statutory Reference; Identification	Coverage; Employee Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights		
<p><b>MAINE</b> Municipal Employee Law: Revised Statutes: Tit. 26, § 961 through 972</p> <p style="text-align: center;"><b>CB</b></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding: 2px;">K-12</td> <td style="padding: 2px;">P-C</td> </tr> </table>	K-12	P-C	<p>Any municipal or political subdivision employee except superintendent, asst. superintendent, probationary, provisional, temporary, seasonal, on-call, or part-time employee; state board and staff also excepted. K-12 level; professional and classified</p>	<p>Employer or Executive Director of Maine Labor Relations Board to determine unit. Principals, asst. principals, supervisory teachers may be included in teacher unit. Professionals may vote to be included in nonprofessional unit. Exclusive representation. No union security</p>	<p>Maine Labor Relations Board: 3 members, 6 alternates appointed by governor; 1 employer, 1 employee, 1 public</p>	<p>Must bargain wages, hours, working conditions and grievance arbitration. Must meet and confer on educational policies. Merit system protected</p>
K-12	P-C					
<p><b>MAINE</b> State Employee Law: Revised Statutes: Tit. 26, § 979 through 979n</p> <p style="text-align: center;"><b>CB</b></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding: 2px;">PS</td> <td style="padding: 2px;">C</td> </tr> </table>	PS	C	<p>Any state employee except elected or appointed. Interpretation includes postsecondary classified personnel, excludes faculty</p>	<p>All covered employees. Exclusive representation. No union security</p>	<p>Maine Labor Relations Board: 3 members, 6 alternates appointed by governor; 1 employer, 1 employee, 1 public</p>	<p>Wages, hours, working conditions, contract grievance arbitration, employee-employer relationships, other items not controlled by law. Merit system protected. Eligibility of state for federal grants in aid and assistance programs protected</p>
PS	C					
<p><b>MARYLAND</b> Annotated Code: Art. 77, § 160</p> <p style="text-align: center;"><b>CB</b></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding: 2px;">K-12</td> <td style="padding: 2px;">P</td> </tr> </table>	K-12	P	<p>Certificated employes of public schools and persons of equivalent status in Baltimore City; except superintendents and those designated as employer negotiators. Covers K-12 professionals</p>	<p>Unit determined by employer after negotiations &amp; other requirements met; no more than 2 units per employer. Exclusive representation. Dues check-off permitted</p>	<p>Local boards and state board of education</p>	<p>Salaries, wages, hours and other working conditions</p>
K-12	P					

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
<p>Mediation and/or fact-finding. MLRB and Maine Board of Conciliation &amp; Arbitration available. Binding arbitration on all matters by mutual consent; if none, binding arbitration on matters other than salaries, pensions, insurance.</p>	<p>Mediation, fact-finding. Binding arbitration permitted on interpretation of contract. MLRB &amp; MBCA available</p>	<p>Standard provisions for unfair practices. Strikes prohibited, listed as unfair practice; injunctive relief</p>	<p>Written contract not to exceed 3 years. No deadline specified</p>	
<p>Mediation and/or fact-finding. MLRB and Maine Board of Conciliation &amp; Arbitration available. Binding arbitration on all matters by mutual consent; if none, binding arbitration on matters other than salaries, pensions, insurance</p>	<p>May be bargained. Binding arbitration may be included to supersede other procedures in statutes. State Employee Appeals Board to resolve if grievance procedures not bargained</p>	<p>Standard provisions for unfair practices. Strikes prohibited, listed as unfair practice; injunctive relief, court review</p>	<p>Written contract not to exceed 2 years. Cost items must be submitted to governor 10 days after ratification</p>	<p>Legislature has right to reject cost items; renegotiation required. It is responsibility of legislature to act on tentative agreements which require legislative action. To coordinate employer position in negotiation of agreements, legislative council is to maintain liaison with employer relative to cost items.</p>
<p>State supt. determines impasse exists; mediation, nonbinding recommendations</p>	<p>Binding arbitration of grievances may be bargained</p>	<p>Standard provisions for unfair practices. Strikes prohibited; loss of dues checkoff and exclusivity rights for 2 years for violation</p>	<p>Written agreement. No deadline specified</p>	

State and Statutory Reference; Identification	Coverage; Employee Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights		
<p><b>MARYLAND</b> Annotated Code: Art. 77, § 160a</p> <p style="text-align: center;">CB</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding: 2px;">K-12</td> <td style="padding: 2px;">C</td> </tr> </table>	K-12	C	<p>In 12 of 23 counties, non-certificated employe organizations may be recognized by public school employer. K-12 classified level</p>	<p>Unit determined by employer after negotiations &amp; other requirements met; no more than 3 units per employer. Exclusive representation. Dues check-off permitted</p>	<p>Local boards and state board of education</p>	<p>Salaries, wages, hours and other working conditions</p>
K-12	C					
<p><b>MASSACHUSETTS</b> General Laws Annotated: State-County-Municipal Employe Law: Ch. 150-E, § 1-15, 1974</p> <p style="text-align: center;">CB</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding: 2px;">K-12 PS</td> <td style="padding: 2px;">P-C</td> </tr> </table>	K-12 PS	P-C	<p>All state, county and municipal employes, including teachers, and excepting elected officials, board and commission members, police and executive officers. K-12 and postsecondary levels; professional and classified</p>	<p>State Labor Relations Commission to determine appropriateness of units. Exclusive representation. Service fees, dues checkoff permitted in specified areas</p>	<p>Labor Relations Commission: 3 members appointed by governor</p>	<p>Wages, hours, standards of productivity and performance and other conditions of employment</p>
K-12 PS	P-C					
<p><b>MICHIGAN</b> Statutes Annotated: Public Employe Relations Act: § 423.201 through 423.216</p> <p style="text-align: center;">CB</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding: 2px;">K-12 PS</td> <td style="padding: 2px;">P-C P</td> </tr> </table>	K-12 PS	P-C P	<p>All public employes except those in state classified service. K-12 professional and classified; post-secondary professional</p>	<p>Determination of unit by MERC. Executives and supervisors excluded from employe unit; execs may form own unit. Exclusive representation. No union security</p>	<p>Michigan Employment Relations Board: 3 members appointed by governor, confirmed by senate</p>	<p>Wages, hours and other terms and conditions of employment</p>
K-12 PS	P-C P					
<p><b>MINNESOTA</b> Statutes Annotated: Employment Relations Act: § 179.61 through 179.87</p> <p style="text-align: center;">CB</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding: 2px;">K-12 PS</td> <td style="padding: 2px;">P-C</td> </tr> </table>	K-12 PS	P-C	<p>All public employes except elected officials, election officers, National Guard and some temporary or part-time employes. K-12 and post-secondary levels; professional and classified</p>	<p>Public employe organizations. Principals, asst. principals, supervisors and confidential employes excluded, but may form own unit. Determination of units by PERB. Exclusive representation. Dues check-off permitted</p>	<p>Public Employment Relations Board: 5 members appointed by governor, 1 at large, 2 employe</p>	<p>Matters pertaining to terms and conditions of employment and grievance procedures. Employer is not required to negotiate inherent managerial policy</p>
K-12 PS	P-C					
<p><b>MISSISSIPPI</b></p>						

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation by mutual agreement; non-binding recommendations. State board available	Binding arbitration of grievances may be bargained	Standard provisions for unfair practices. Strikes prohibited; loss of dues checkoff and exclusivity rights for 2 years for violation	Written agreement. No deadline specified	Baltimore City and 3 counties have separate procedures for classified personnel.
Board of Conciliation and Arbitration mediation, fact-finding, binding recommendations if mutually agreed by parties and authorized by legislature	May be bargained; binding arbitration permitted. Board of Conciliation and Arbitration available	Standard provisions for unfair practices. Strikes prohibited; injunctive relief. Salary loss, no makeup, discipline and discharge for violation	Written contract not to exceed 3 years. No deadline specified	Legislature authorizes binding arbitration of contract disputes.  Request for funding to be submitted to legislature within 30 days after agreement. If rejected, renegotiation prescribed.
Mediation and factfinding; nonbinding recommendations via MERC	May be bargained. Mediation via MERC	Standard provisions for unfair practices. Strikes prohibited; discipline, dismissal for violation	Written contract. No deadline specified	
Final and binding arbitration. Attorney general opinion states that work week and hours are proper arbitrable items	Must be bargained; must provide compulsory binding arbitration	Standard provisions for unfair practices. Strikes prohibited; loss of unit recognition, dismissal for violation	Written contract. No deadline specified	Agreements on wages and economic fringe benefits are subject to legislative approval; renegotiation prescribed.
				State has no public employe collective bargaining legislation.



State and Statutory Reference; Identification	Coverage; Employment Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights						
<p><b>MISSOURI</b> Vernon's Annotated Statutes: Public Employee Law: § 105.500 through 105.540</p> <p style="text-align: center;"><b>MC</b></p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;"><b>K-12</b></td> <td style="width: 50%; text-align: center;"><b>P-C</b></td> </tr> <tr> <td style="text-align: center;"><b>PS</b></td> <td></td> </tr> </table>	<b>K-12</b>	<b>P-C</b>	<b>PS</b>		<p>Public employees, excluding K-12 and post-secondary teachers and certain others. K-12 and post-secondary classified included</p>	<p>Appropriate unit; community of interest. State Board of Mediation to resolve unit disputes. Exclusive representation. No union security</p>	<p>Public employer</p>	<p>Proposals relative to salaries and other conditions of employment</p>		
<b>K-12</b>	<b>P-C</b>									
<b>PS</b>										
<p><b>MONTANA</b> Public Employee Law: HB 481, 1975; § 59-1601 through 1616</p> <p style="text-align: center;"><b>CB</b></p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;"><b>K-12</b></td> <td style="width: 50%; text-align: center;"><b>P-C</b></td> </tr> <tr> <td style="text-align: center;"><b>PS</b></td> <td></td> </tr> <tr> <td style="text-align: center;"><b>CC</b></td> <td></td> </tr> </table>	<b>K-12</b>	<b>P-C</b>	<b>PS</b>		<b>CC</b>		<p>Public employees, excluding elected, appointed, supervisory, administrative, school district clerks, engineers. K-12, post-secondary and community college personnel covered at professional and classified levels with stated exceptions</p>	<p>Board of Personnel Appeals decides unit. Exclusive representation. Dues checkoff permitted. Service fees to union-selected charity</p>	<p>Board of Personnel Appeals: 5 members; 2 management, 2 labor, 1 public appointed by governor</p>	<p>Wages, hours, fringe benefits, other conditions of employment. Extensive management rights listed</p>
<b>K-12</b>	<b>P-C</b>									
<b>PS</b>										
<b>CC</b>										
<p><b>NEBRASKA</b> Revised Statutes: Teachers Professional Negotiations Act: § 79-1287 through 79-1295</p> <p style="text-align: center;"><b>MC</b></p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;"><b>K-12</b></td> <td style="width: 50%; text-align: center;"><b>P</b></td> </tr> </table>	<b>K-12</b>	<b>P</b>	<p>Certificated employees in Class III, IV, V school districts. K-12 level</p>	<p>Unit not specified. Exclusive representation. No union security</p>	<p>Local school board</p>	<p>Employment relations and mutually agreed-to matters</p>				
<b>K-12</b>	<b>P</b>									

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
No specific provisions	No specific provisions	Standard provisions for unfair practices. Strikes prohibited; no penalties specified	Written agreement. No deadline specified	<p>Agreement to be presented to appropriate legislative body in proper form for adoption, modification or rejection.</p> <p>A meet and confer law.</p> <p>State supreme court decision, February 1974 says teacher organizations are not labor organizations; negotiations are not prohibited; agreements for professional consultation are legal, but may not be binding on school boards.</p>
Mediation, factfinding through BPA. Binding arbitration by agreement of both parties	No specific provisions	Standard provisions for unfair practices. No specific provisions for strikes	Written contract. No deadline specified	<p>Students have a role in postsecondary faculty bargaining, and representation at bargaining sessions.</p> <p>Supreme court in November 1974 ruled that public employe strikes are allowed at any point in negotiations.</p>
Factfinding board and non-binding recommendations	No specific provisions	No specific provisions	Written agreement. No deadline specified	A meet and confer law.

State and Statutory Reference; Identification	Coverage; Employee Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
<b>NEBRASKA</b> Revised Statutes: Public Employees Act: § 48-801 through 48-837	Public employees, postsecondary professional and classified included	Unit not specified. Exclusive representation. No union security	State Court of Industrial Relations: 5 judges appointed by governor	Conditions of employment, including wages and hours
<hr/> <div style="display: flex; justify-content: center; align-items: center; gap: 20px;"> <div style="text-align: center;"> <b>CB</b>  <hr/> <b>PS</b>   <b>P-C</b> </div> </div> <hr/>				
<b>NEVADA</b> Revised Statutes: Local Government Employes Management Relations Act: § 288-010 through 288-280	Local government employees. K-12 level; professional and classified	Principals, asst. principals or other administrators below may not be in teacher unit unless district employs less than 5 principals. Separate units otherwise. Exclusive representation. Dues check-off permitted	Local Government Employee Management Relations Board: 3 members appointed by governor. 10-member advisory committee: 5 employer, 5 employee appointed by governor	Wages, hours, conditions of employment. Written notice of negotiation to employer by Jan. 15 if funds involved. Required scope restricted to 20 items. Extensive management rights listed
<hr/> <div style="display: flex; justify-content: center; align-items: center; gap: 20px;"> <div style="text-align: center;"> <b>CB</b>  <hr/> <b>K-12</b>   <b>P-C</b> </div> </div> <hr/>				
<b>NEW HAMPSHIRE</b> State Employee Bargaining Rights: Ch. 273-A	All public employees, excluding elected, appointed, confidential, temporary. K-12, postsecondary; professional and classified covered	Community of interest determined by PELRB. Not less than 10 employees per unit; units may combine for bargaining on approval of mutual employer. Professionals and non-professionals may vote for inclusion in same unit. Supervisors must have separate units. Exclusive representation. No union security	Public Employee Labor Relations Board: 5 members appointed by governor; 2 labor, 2 management, 1 public	Wages, hours and other conditions of employment. Merit system, managerial prerogative protected

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Binding arbitration by Court of Industrial Relations	May be bargained	Standard provisions for unfair practices. No specific provisions for strikes	Written contract required to cover biennial period coinciding with state budgeting period. No deadline specified	Written contract is subject to legislative approval.
Mediation and factfinding mandatory by various dates. Governor has authority to make factfinder recommendations binding within 10 days of legislature's adjournment	May be bargained if related to interpretation of agreement. Appeals and disputes to LGMRB. Court review available	Standard provisions for unfair practices. Strikes prohibited; no strike pledge required for recognition. Fines, salary loss, dismissal for violation; injunctive relief	Written contract at request of either party; complete by May 5 or within 10 days of legislature's adjournment	Governor has authority to make contract impasse factfinding recommendations binding within 10 days of legislature's adjournment.  Contrary to earlier reports, the community college system is part of the University of Nevada system and all of its employees are not covered under this act.
Mediation, factfinding, nonbinding recommendations. PERLB involvement. Legislative body involvement	Must be bargained	Standard provisions for unfair practices. Strikes and lockouts prohibited; injunctive relief, court review	Written contract by budget submission date	Cost items must be submitted to appropriate legislative body for approval; if rejected, renegotiation prescribed.

State and Statutory Reference; Identification	Coverage; Employee Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights								
<b>NEW JERSEY</b> Statutes Annotated: Employer-Employee Relations Act: § 34:13A-1 through 34:13A-13	All employees: state, county, municipal. Excludes elected, board & commission members, confidential and managerial (in school district, managerial exclusions are limited to superintendent, other chief administrators, assistant superintendents). K-12 and postsecondary levels; professional and classified	No unit may contain supervisors and nonsupervisors. Exclusive representation. No union security	Public Employment Relations Commission: 7 members; 2 employer, 2 employee, 3 public appointed by governor	Grievances and terms and conditions of employment								
<table border="1"> <tr> <td colspan="2" style="text-align: center;"><b>CB</b></td> </tr> <tr> <td style="border-right: 1px solid black;"><b>K-12</b></td> <td><b>P-C</b></td> </tr> <tr> <td style="border-right: 1px solid black;"><b>PS</b></td> <td></td> </tr> <tr> <td style="border-right: 1px solid black;"><b>CC</b></td> <td></td> </tr> </table>	<b>CB</b>		<b>K-12</b>	<b>P-C</b>	<b>PS</b>		<b>CC</b>					
<b>CB</b>												
<b>K-12</b>	<b>P-C</b>											
<b>PS</b>												
<b>CC</b>												

**NEW MEXICO**

<b>NEW YORK</b> McKinney's Consolidated Laws Annotated: Taylor Act: Secs. 200-214, Civil Service Law.	Any person holding a position by employment or appointment with a unit of government. K-12 and postsecondary levels; professional and classified. Managerial, confidential, militia excluded	Community of interest. Final decision by Public Employment Relations Board. Exclusive representation. Dues checkoff permitted	Public Employment Relations Commission: 3 members appointed by governor	Terms and conditions of employment; grievance procedures						
<table border="1"> <tr> <td colspan="2" style="text-align: center;"><b>CB</b></td> </tr> <tr> <td style="border-right: 1px solid black;"><b>K-12</b></td> <td><b>P-C</b></td> </tr> <tr> <td style="border-right: 1px solid black;"><b>PS</b></td> <td></td> </tr> </table>	<b>CB</b>		<b>K-12</b>	<b>P-C</b>	<b>PS</b>					
<b>CB</b>										
<b>K-12</b>	<b>P-C</b>									
<b>PS</b>										

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation, fact-finding and arbitration	Must be bargained. May provide for binding arbitration	Standard provisions for unfair practices; injunctive relief. No specific provisions for strikes	Written contracts. Deadline date regulated by PERC	Provisions of act may not annul or modify state pension statutes.
				State has no public employe collective bargaining legislation; but an April 14, 1971 attorney general's opinion indicates a limited collective bargaining right for public employes and teachers. State personnel board rules include limited bargaining procedure for classified state employes
Parties to develop own procedures; may include voluntary arbitration. Mediation and factfinding available. Impasse declared 120 days prior to FY; 10 days after factfinding, legislature may intervene	Must be bargained	Standard provisions for unfair practices. Strikes prohibited; no strike pledge required for recognition; salary loss for violation	Written contract. No deadline specified	Any agreement requiring legislative action to permit implementation or additional funds must be approved by legislature.

State and Statutory Reference; Identification	Coverage; Employee Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
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**NORTH CAROLINA**

General Statutes

**NORTH DAKOTA**

Century Code:  
§ 15-38-1.01 through  
15-38-1.15

CB	
K-12	.P

All classroom teachers and administrators employed by a public school system. K-12 level

Teachers and administrators may not be in same unit. Employer determines appropriate unit. Exclusive representation. No union security

Education Fact-finding Commission: 3 members; 1 appointed by state education superintendent; 1 by governor; 1 by attorney general

Terms and conditions of employment; employer-employee relations, salaries, hours. Extensive management rights listed

**OHIO**

**OKLAHOMA**

Statutes Annotated:  
§ 509.1 through  
509.10

CB	
K-12	P-C

All employees in district. Those not wishing representation may so state in writing to local board. K-12 level; professional and classified

Separate units for certified teachers and nonprofessional employees. Exclusive representation. No union security

Local boards of education

Items affecting the performance of professional services

**OREGON**

Revised Statutes:  
Public Employer Law:  
§ 243.711 through  
243.795

CB	
K-12 PS	P-C

Public employees excluding elected, appointed, confidential or supervisory. K-12 and postsecondary levels; professional and classified

No specific provisions for unit. Exclusive representation. Dues checkoff, service fees, union or agency shop permitted

Public Employee Relations Board: 5 members appointed by governor.

Including but not limited to salaries, benefits, hours, terms and conditions of employment

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
				<p>State has no public employe collective bargaining legislation.</p> <p>NCGS: § 95-85 through 95-88, barring public employe membership in national labor organizations was declared unconstitutional by U.S. District Court in 1970; section forbidding state contracts with unions was upheld.</p>
<p>Mediation, fact-finding with nonbinding recommendations via Education Fact Finding Commission. Parties may agree to own procedures</p>	<p>May be bargained. Board required to meet and negotiate any question arising out of interpretation of agreement</p>	<p>Standard provisions for unfair practices. Strikes prohibited; salary loss for violation</p>	<p>Written contract. No deadline specified</p>	<p>State also has public employe law dealing with mediation of disputes which would cover postsecondary classified employes: NDCC: § 31-11-01 through 31-11-05</p>
				<p>State has no public employe collective bargaining legislation</p>
<p>Parties must develop procedures. 3-member factfinding may be used on impasse</p>	<p>No specific provisions</p>	<p>Discrimination against employes exercising rights is unfair practice. Strikes prohibited; salary loss, loss of unit recognition for violation</p>	<p>No specific provisions</p>	<p>State has fireman, policeman and municipal employe collective bargaining: OSA: § 548.1 through 548.14</p>
<p>Mediation, fact-finding, binding arbitration</p>	<p>May be bargained</p>	<p>Standard provisions for unfair practices          Strikes by unit members permitted if not endangering public well-being; and after exhaustion of specific procedures. Enjoined strikes must be submitted to binding arbitration. Strikes prohibited if agreement contains binding arbitration provisions</p>	<p>Written contract if requested by either party. No deadline specified</p>	



State and Statutory Reference; Identification	Coverage; Employee Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights				
<b>PENNSYLVANIA</b> Purdon's Statutes Annotated: Public Employee Relations Act: Tit. 43, § 1101.101 through 1101.2301	Public employees, excluding elected, governor appointed, management, confidential. K-12 and postsecondary levels; professional and classified	Appropriate units. Disputes to be settled by Labor Relations Board. Exclusive representation. Dues checkoff, membership maintenance permitted	Labor Relations Board: 3 members appointed by governor	Wages, hours and terms and conditions of employment. Extensive management rights listed				
<div style="text-align: center;">CB</div> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">K-12</td> <td style="width: 50%;">P-C</td> </tr> <tr> <td>PS</td> <td></td> </tr> </table>	K-12	P-C	PS					
K-12	P-C							
PS								
<b>RHODE ISLAND</b> General Laws: School Teachers Arbitration Act: § 28-9.3-1 through 28-9.3-16	Certified teachers employed in any public school system, excluding superintendents, asst. superintendents, principals, asst. principals. K-12 level	All covered employees. Exclusive representation. Service fees permitted	State Labor Relations Board: 3 members appointed by governor; 1 management, 1 labor, 1 public	Hours, salaries, working conditions, terms and conditions of professional employment				
<div style="text-align: center;">CB</div> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">K-12</td> <td style="width: 50%;">P</td> </tr> </table>	K-12	P						
K-12	P							
<b>RHODE ISLAND</b> General Laws: State Employees: § 36-11-1 through 36-11-12	All public, state employees, including postsecondary level; professional and classified	All covered employees. Exclusive representation. Service fees permitted	State Labor Relations Board: 3 members appointed by governor; 1 management, 1 labor, 1 public	Wages, hours, working conditions				
<div style="text-align: center;">CB</div> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">PS</td> <td style="width: 50%;">P-C</td> </tr> </table>	PS	P-C						
PS	P-C							
<b>RHODE ISLAND</b> General Laws: Municipal Employees Arbitration Act: § 28-9.4-1 through 28-9.4-19	Any employee of municipal employer (including school boards), except elected, management, etc., and teachers. Covers non-teaching K-12 personnel	All covered employees. Exclusive representation. No union security	State Labor Relations Board: 3 members appointed by governor; 1 management, 1 labor, 1 public	Hours, salary, working conditions, all other terms and conditions of employment				
<div style="text-align: center;">CB</div> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">K-12</td> <td style="width: 50%;">C</td> </tr> </table>	K-12	C						
K-12	C							
<b>SOUTH CAROLINA</b>								

<b>Bargaining Impasse Procedures</b>	<b>Grievance Procedures</b>	<b>Unfair Practices, Penalties; Strikes</b>	<b>Final Form; Deadline Dates For Completed Agreements</b>	<b>Comments</b>
Mutual voluntary binding arbitration permitted. Mediation, fact-finding mandatory by budget submission date timetable	May be bargained. Arbitration mandatory	Standard provisions for unfair practices. Strikes prohibited if "clear and present danger" to public well-being. Otherwise permitted after exhaustion of bargaining procedures	Written contract. No deadline specified	Contract may not violate statutes. State has separate collective bargaining laws for (1) police and firemen; SB 1343 L 1968; and (2) municipal transit employees: Act 228 L 1967.
Mediation if requested within 30 days of start of bargaining. Ad hoc panel to provide binding arbitration on all non-fund matters	No specific provisions	No specific provisions	Written contract not to exceed 3 years. No deadline specified	In January 1973, the state supreme court ruled teacher strikes illegal and subject to injunction. Decision also eliminated ex parte injunction.
Mediation, fact-finding, binding arbitration on non-fund matters	May be bargained	No specific provisions for unfair practices. Strikes prohibited; no penalties specified	Written contract. No deadline specified	State has fireman collective bargaining law: § 28-9.1-2 through 28-9.1-14 and policeman collective bargaining law: § 28-9.2-2 through 28-9.2-14
Mediation, conciliation, binding arbitration on non-fund matters. State director of labor available	No specific provisions	No specific provisions for unfair practices. Strikes prohibited; no penalties specified	Written contract not to exceed 3 years. No deadline specified	State has Grievance Procedures Acts for state, county and municipal employes: SB 121 and SB 124, L1971; but no public employe collective bargaining legislation.

State and Statutory Reference; Identification	Coverage; Employee Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
<b>SOUTH DAKOTA</b> Compiled Laws: Public Employee Negotiation Law: § 3-18-1 through 3-18-20	Any person holding a position by appointment or employed with state public service. K-12 and postsecondary level; professional and classified	Appropriate unit; dispute to be resolved by Commissioner of Labor and Management Relations. Exclusive representation. No union security	Commissioner of Labor and Management Relations	Wages, hours and other terms and conditions of employment
<b>CB</b>				
<b>K-12</b> <b>PS</b>	<b>P-C</b>			

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**TENNESSEE**

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**TEXAS**  
 Vernon's Codes  
 Annotated

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**UTAH**

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<b>VERMONT</b> Statutes Annotated: Labor Relations Act for Teachers: Tit. 16, § 1981 through 2010	All certified teachers and administrators in publicly funded schools	Separate units for teachers and administrators. Exclusive representation. No union security	No specific provision	Salaries, related economic conditions of employment, grievance procedures, other mutually agreed items not in conflict with statutes. Extensive management rights
<b>MC</b>				
<b>K-12</b>	<b>P</b>			

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Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation with Commissioner of Labor and Management Relations available; other procedures optional	Employer to establish grievance procedures; binding decision by Commissioner of no local solution	Standard provisions for unfair practices. Strikes prohibited; injunctive relief; court review	Written contract. No deadline specified	Agreements must be submitted to appropriate legislative body, governing body or officer for approval and necessary implementation.
				State has no public employe collective bargaining legislation.
Boards of trustees and administrative personnel of school districts may consult with teachers on matters of educational policy and conditions of employment: VTCA § 13.901. In May 1967 (#M-77) attorney general ruled that public employes have the right to present grievances concerning wages, hours or working conditions through a union not claiming the right to collective bargaining or strikes.				
VTCA § 22.278 forbids public employe collective bargaining contracts or strikes.				
State has Fire and Police Employe Relations Act permitting collective bargaining in local jurisdictions only after petition and public referendum: HB 185 of 1973.				
A 1975 attorney general's opinion states that employers are obligated to hear grievances, but not to bargain.				
				State has firefighters law, SB 190, 1975.
				The Right to Work law allows organization but not negotiation.
Mediation, fact-finding, nonbinding recommendations. American Arbitration Association may assist. Employer decision final	Must be bargained	No specific provisions for unfair practices. Actions posing "clear and present danger to sound program of school education" prohibited; injunctive relief	Written agreement. No deadline specified	A meet and confer law.

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State and Statutory Reference; Identification	Coverage; Employee Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
<b>VERMONT</b> Ch. 27, L 1969: State Employee Labor Relations Act. CB K-12   P-C PS	State employees including: certified primary and secondary teachers at state hospital, state training school for retarded, state juvenile correctional institution; faculty and nonfaculty at state colleges; state police. Excluding: certain exempt personnel, administrative, management, etc. Excluding: all personnel at state university	Appropriate unit determined by Employee Labor Relations Board. Exclusive representation. No union security	State Employee Labor Relations Board: 3 members appointed by governor	Wages, salaries, hours, other terms and conditions of employment not in conflict with statutes. Merit system principles protected
Coverage is selective: all state university personnel excluded				

<b>VERMONT</b> Statutes Annotated: Municipal Employee Relations Act: § 21-1721 through 21-1734 CB K-12   C	Municipal employees, including school district classified personnel; excluding elected, supervisors, confidential, certified, etc. K-12 level	Separate units for professional and nonprofessional. Exclusive representation. Dues checkoff, service fees permitted	State Employee Labor Relations Board: 3 members appointed by governor	Wages, hours, conditions of employment
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## VIRGINIA

<b>WASHINGTON</b> Revised Code Annotated: § 28B.16.100 CB PS   C CC	State classified employees including postsecondary	Appropriate units. Exclusive representation. Dues checkoff permitted	State Personnel Board	Grievance procedures and all personnel matters over which institutions or related boards may lawfully exercise discretion
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Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Factfinding by panel to ELRB; ELRB recommendations binding only by mutual agreement; may not conflict with statutes	Rules and final determination by ELRB	Standard provisions for unfair practices; implied discipline. Strikes prohibited; listed as unfair practice; implied discipline.  Teachers considered municipal employees for enforcement of sections dealing with unfair labor practices. See Municipal Employee Relations Act below	Written contract not to exceed 3 years	
Mediation, factfinding, advisory recommendations; voluntary binding arbitration	May be bargained. Binding arbitration of contract interpretation grievances may be included. Voluntary binding arbitration of tenure grievances must be only procedure for such; supersedes state law	Standard provisions for unfair practices. Strikes permitted only: 30 days after factfinding, after binding arbitration award, and if no danger to public well-being. Injunctive relief	Written contract. No deadline specified	Contracts must not violate state law. Contracts which violate ordinance, by-law, rule or regulation must be approved by appropriate legislative body. Voluntary binding arbitration awards in tenure grievances may supersede state law.
No specific provisions	May be bargained	No specific provisions for unfair practices. Strikes prohibited; no penalties specified	Written agreement. No deadline specified	State has no public employe collective bargaining legislation. In July 1962 and February 1970, attorney general's opinions ruled that local employes and teachers have the right to bargain.
No specific provisions	May be bargained	No specific provisions for unfair practices. Strikes prohibited; no penalties specified	Written agreement. No deadline specified	Fund matters subject to approval of chief financial officer.

State and Statutory Reference; Identification	Coverage; Employee Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
<b>WASHINGTON</b> Education Employee Collective Bargaining: SB 2500, HB 1230, 1975 <hr/> <b>CB</b> K-12   P	Any certificated employe of school district, excluding superintendents, administrators, confidential. K-12 professional level	All covered employes. Units may contain varied combinations of supervisors and nonsupervisors by majority vote of both. Non-supervisor units must include all such. Exclusive representation. Dues check-off, service fees permitted	Public Employment Relations Commission: 3 members appointed by governor	Wages, hours terms and conditions of employment. Prior law not to affect scope. Supervisor only units limited to compensation, hours, number of workdays, PERC decides scope disputes
<b>WASHINGTON</b> Revised Code Annotated: Community College Negotiations Act: § 28B.52.010 through 28B.52.200 <hr/> <b>CB</b> CC   P	Academic employes of community college district	All covered employes. Chief administrators may be included in academic unit by election. No specific provisions for union security.	Public Employment Relations Commission: 3 members appointed by governor	Curriculum, textbooks, inservice training, student teaching, personnel hiring and assignment practices, leaves of absence, salaries, non-instructional duties
<b>WASHINGTON</b> Revised Code Annotated: Public Employee Collective Bargaining Act: § 41.56.010 through 41.56.950 <hr/> <b>CB</b> K-12   C	Public employes with specific exceptions. Act includes K-12 classified personnel	Appropriate units. Exclusive representation. Dues checkoff, service fees permitted. Union security provisions prevail over charter, ordinance, rule or regulation	Public Employment Relations Commission: 3 members appointed by governor	Grievance procedures, wages, hours, working conditions. Excludes matters delegated to other authority by ordinance, resolution or charter
<b>WEST VIRGINIA</b>				
<b>WISCONSIN</b> Statutes Annotated: Municipal Employee Relations Act: § 111.70 through 111.71 <hr/> <b>CB</b> K-12   P-C	Any employe of a political subdivision with specific exceptions. Includes teachers and classified, K-12 level	All employes of one employer except executives, supervisors. Exclusive representation. Dues checkoff, service fees permitted	State Employment Relations Commission: 3 members appointed by governor	Wages, hours, and conditions of employment. Extensive management rights listed

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation, fact-finding, advisory recommendations through PERC.	PERB available. Binding arbitration permitted on disputed interpretation of agreement	Standard provisions for unfair practices, injunctive relief. No specific provisions for strikes	Written contract not to exceed by either party. No deadline specified	Act supersedes existing statutes where conflict exists. Contracts prevail over existing rules and regulations.
Mediation, fact-finding, advisory recommendations through PERC	No specific provisions	No discrimination because of exercise of rights. No specific provisions for strikes	Written contract not to exceed 3 years. No deadline specified	Contract is not binding on future actions of legislature.
Mediation, fact-finding, advisory recommendations through PERC. Binding arbitration for unformed personnel	Must be bargained. May provide binding arbitration on disputed interpretation of agreement	Standard provisions for unfair practices; injunctive relief. Strikes prohibited, no penalties specified	Written contract not to exceed 3 years. No deadline specified	State also has Port District Employee Act: SB 34, L 1967
Mediation, fact-finding. Employment Relations Commission available	May be bargained	Standard provisions for unfair practices; no specific, penalties. Strikes prohibited; injunctive relief, fines deducted from salaries	Written and signed document. No deadline specified	State has no public employe collective bargaining legislation.  State has policeman and fireman collective bargaining: WSA § 111.77.



State and Statutory Reference; Identification	Coverage; Employee Classification; Level	Bargaining Unit; Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights						
<b>WISCONSIN</b> Statutes Annotated: State Employment Labor Relations Act: § 111.80 through 111.97  <table border="1"> <tr> <td colspan="2">CB</td> </tr> <tr> <td>CC</td> <td>P-C</td> </tr> <tr> <td>PS</td> <td>C</td> </tr> </table>	CB		CC	P-C	PS	C	All state employees except 4-year postsecondary teachers. Includes 2-year postsecondary teachers, all postsecondary classified employees. Supervisors, management, etc. excluded	Statewide basis: 1 unit for education employees. Exclusive representation. Dues checkoff, service fees permitted	State Employment Relations Commission: 3 members appointed by governor	Wages, employee classification, fringes, hours and conditions of employment. Extensive management rights listed. Merit system protected
CB										
CC	P-C									
PS	C									

**WYOMING**

**DISTRICT OF COLUMBIA** Public employes have bargaining rights by executive order of the Commissioner of D. C.

**GUAM** A 1969 public employe collective negotiations statute covers all classified and professional employes of the University of Guam and all other territorial public employes. The scope of bargaining covers only terms and conditions of employment.

**VIRGIN ISLANDS** Public employes have right to organize, join, meet and confer by executive order of governor.

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices, Penalties; Strikes	Final Form; Deadline Dates For Completed Agreements	Comments
Mediation, fact-finding. Employment Relations Commission available	May be bargained	Standard provisions for unfair practices; no specific penalties. Strikes prohibited; fines, suspension, lawsuit for violation	Written and signed document. No deadline specified	Tentative agreements must be submitted to Employment Relations Commission and Legislature for approval, implementation on cost or statutory matters. If rejected, renegotiation required.
				State has firefighters law: § 27-265 through § 27-273.

Coverage: Employee Classification; Level	Bargaining Unit: Type of Representation; Union Security	Administration	Scope of Bargaining; Management Rights
<p>Act currently covers private industry and commerce. Definition of <i>employer</i> excludes U.S. or state government and political subdivisions, persons or organizations under the Railway Labor Act, and labor organizations other than when acting as employer. H.R. 77 (Thompson, D-NJ) would strike exclusion of <i>state government and political subdivisions</i>. Definition of <i>employee</i> currently excludes agricultural, domestic, independent contractors, supervisors, those under the Railway Labor Act, and those within the definition of employer. <i>Supervisors</i> are persons having authority to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees; or authority to direct other employees, adjust grievances, etc., using independent judgment. A <i>professional</i> employee is one whose work is <i>predominately</i> intellectual and varied in character, involving discretion and judgment; whose output cannot be standardized in relation to a given time period; and who utilizes advanced scientific knowledge or other specialized intellectual knowledge customarily acquired through postsecondary or hospital study.</p>	<p>Appropriate unit is determined by National Labor Relations Board. Professional employes may be included in nonprofessional employee unit only by majority vote of such professional employes. <i>Supervisors are excluded from coverage</i>. Exclusive representation. Union shop and closed shop are permitted except where prohibited by state law.</p>	<p>National Labor Relations Board: 5 members appointed by President with advice and consent of Senate; 5 year terms.</p>	<p>Employer and employe representative have mutual obligation to <i>meet and confer</i> in good faith with respect to <i>wages, hours, terms and conditions of employment, or negotiation of agreement</i>. Specific management rights are not delineated.</p>

**Bargaining Impasse Procedures**

Federal Mediation and Conciliation Service is available at request of either party; or may proffer services.

**Grievance Procedures**

May be bargained. Federal Mediation and Conciliation Service is available as a last resort.

**Unfair Practices; Penalties, Strikes**

Standard *unfair practices* for employer/employee organization are listed. They include interference, restraint, coercion, discrimination, discharge because of complaint or testimony, refusal to bargain. NLRB administers filing of complaints, hearings, fact finding, injunction, court review and appeal. An appropriate state agency may assume jurisdiction of disputes over which NLRB declines jurisdiction. Lawsuits for violation of contract are permitted by and against labor organizations. *Strikes and lockouts* are permitted. Strikes imperiling national health or safety may be referred to a board of inquiry appointed by President to report findings of fact to President and thence to Federal Mediation and Conciliation Service. President may request injunction through Attorney General and U.S. District Court. Appeal provisions; 60-day period for settlement; public report, balloting of employees on final settlement offer, report to Congress by President with recommendations.

**Final form; Deadline Dates**

Written contract if requested by either party. No deadline dates specified.

# PROPOSED NATIONAL PUBLIC EMPLOYMENT RELATIONS ACT

H.R. 1488

Coverage: Employee Classification: Level	Bargaining Unit: Type of Representation: Union Security	Administration	Scope of Bargaining: Management Rights
<p>Employees of states and their political subdivisions; excluding appointed, elected. Supervisors are persons having authority to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees; or responsibility to direct other employees, adjust grievances, using independent judgment.</p>	<p>Commission decides appropriate unit, considering community of interest, wages, hours, other working conditions. Except for firefighters, supervisors and non-supervisors must be in separate units. No provisions for separation or combination of professional and nonprofessional employees. Dues checkoff, service fees permitted.</p>	<p>National Public Employment Relations Commission: 5 members appointed by President with Senate Confirmation; 5-year terms. Regionalization. General Counsel for Commission appointed by President with Senate confirmation.</p>	<p>Employer and employee representative have mutual obligation to meet and negotiate on wages, hours and other conditions of employment. Specific management rights are not delineated.</p>

Introduced in 94th Congress by Representative Edward R. Roybal (D-Calif.)

Bargaining Impasse Procedures	Grievance Procedures	Unfair Practices; Penalties, Strikes	Final form; Deadline Dates
<p>Mediation and fact-finding available through Federal Mediation and Conciliation Service or other agency selected by parties. Recommendations, public report; final binding arbitration by mutual agreement.</p>	<p>May be bargained; may provide binding arbitration.</p>	<p>Standard <i>unfair practices</i> for employer/employee organizations are listed. They include interference, restraint, coercion, discrimination, discharge because of complaint or testimony, refusal to bargain. Commission administers filing of complaints, hearings, fact-finding, court injunction, review, appeal up to U.S. Supreme Court. District Courts have initial jurisdiction. <i>Strikes</i> are not prohibited, except during the 60-day period following a public fact-finding report.</p>	<p>Written contract if requested by either party. No deadline dates specified.</p>

**Comments:** Regulatory or statutory matters bargained must be submitted to appropriate legislative body for approval. Suits for violation of contracts are permitted. The Act would supersede all previous statutes; preempt all contrary local ordinances, executive orders, legislation, rules or regulations adopted by any state or political subdivision or agents. States with "substantially equivalent" laws may apply for exemption from Act.



*Education Commission of the States*

The Education Commission of the States is a nonprofit organization formed by interstate compact in 1966. Forty-five states, Puerto Rico and the Virgin Islands are now members. Its goal is to further a working relationship among governors, state legislators and educators for the improvement of education. This report is an outcome of one of many Commission undertakings at all levels of education. The Commission offices are located at 300 Lincoln Tower, 1860 Lincoln Street, Denver, Colorado 80203.