STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

HOUSE BILL 2214

By: Russ

AS INTRODUCED

An Act relating to school employees; amending 70 O.S. 2011, Sections 509.8, 509.9 and 509.10, which relate to negotiation between school employees and districts; prohibiting school strike or shutdown by board of education or school employees; specifying entities and officials involved in negotiations; denying payment of wages during strike or shutdown; requiring permanent revocation of certificate issued by State Board of Education; providing gender neutral language; updating statutory reference; eliminating agreements between school districts and employee organizations upon specified date; ending recognition of employee organization upon specified date; repealing 70 O.S. 2011, Sections 509.1, 509.2, as amended by Section 24, Chapter 124, O.S.L. 2014, 509.2a, 509.3, 509.6, as amended by Section 2, Chapter 56, O.S.L. 2015 and 509.7 (70 O.S. Supp. 2018, Sections 509.2 and 509.6); providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 509.8, is amended to read as follows:
Section 509.8  The procedure provided for herein for resolving
impasses shall be the exclusive recourse of the organization. It
shall be illegal for the organization board of education or school
district employees, including all those defined in Section 1-116 of
this title, to strike or threaten to strike or otherwise close
schools or interfere with school operations as a means of resolving
differences with the board of education, the State Department of
Education, the State Board of Education, the Legislature or any
other public official or public body. Any member of an organization
person engaging in a strike, shutdown or related activities shall be
denied the full amount of his or her wages during the period of such
violation. If the organization or its members engage in a strike,
then the organization shall cease to be recognized as representative
of the unit and the school district shall be relieved of the duty to
negotiate with such organization or its representatives, and if the
person holds a certificate issued by the State Board of Education,
such certificate shall be permanently revoked.

SECTION 2. AMENDATORY 70 O.S. 2011, Section 509.9, is
amended to read as follows:

Section 509.9  No employee shall be discriminated against by the
board of education, superintendent or any other administrative
officer of a district or by any employee organization, its officers
or any member thereof because of his or her exercise or nonexercise
of rights under this act. It shall be prohibited for an employee
organization, employee or employer to impede, restrain or coerce an
employer or employees in the exercise of the rights guaranteed in
Sections 509.1 through 509.11 of this title.

SECTION 3. AMENDATORY 70 O.S. 2011, Section 509.10, is
amended to read as follows:

Section 509.10 Nothing in this act shall be construed to annul
or modify or to preclude the renewal or continuation of any Any
lawful agreement heretofore entered into between any school district
and any representative of its employees, except to the extent that
such agreement is in conflict with the provisions of this act shall
continue in effect except that no such agreement shall be renewed or
continue after July 30, 2021.

SECTION 4. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 509.12 of Title 70, unless there
is created a duplication in numbering, reads as follows:

A board of education shall not recognize an employee
organization as an exclusive representative of employees nor bargain
with any such organization after July 30, 2021.

SECTION 5. REPEALER 70 O.S. 2011, Sections 509.1, 509.2,
as amended by Section 24, Chapter 124, O.S.L. 2014, 509.2a, 509.3,
509.6, as amended by Section 2, Chapter 56, O.S.L. 2015 and 509.7
(70 O.S. Supp. 2018, Sections 509.2 and 509.6), are hereby repealed.
SECTION 6. This act shall become effective November 1, 2019.

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