

Regular Session, 2012

HOUSE BILL NO. 89

BY REPRESENTATIVE LIGI

PUBLIC EMPLOYEES: Provides relative to public access to public collective bargaining agreements involving public employers

1 AN ACT

2 To enact Part IV of Chapter 1 of Title 44 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 44:67.1 and 67.2, relative to collective bargaining involving public
4 entities; to provide relative to acceptance or offering for acceptance of certain
5 collective bargaining agreements; to provide for public availability of certain
6 documents; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part IV of Chapter 1 of Title 44 of the Louisiana Revised Statutes of 1950,
9 comprised of R.S. 44:67.1 and 67.2, is hereby enacted to read as follows:

10 PART IV. PUBLIC EMPLOYER-EMPLOYEE

11 COLLECTIVE BARGAINING

12 §67.1. Definitions

13 For purposes of this Part, the following definitions shall apply unless the
14 context clearly indicates otherwise:

15 (1) "Employee" means an individual employed by a public employer.

16 (2) "Labor organization" means an association or organization of employees
17 and an agency, employee representation committee, or plan in which employees
18 participate that exists, in whole or in part, to advocate on behalf of employees about
19 grievances, labor disputes, wages, rates of pay, hours of employment, or conditions
20 of work.

1 (3) "Public collective bargaining" means the performance of the mutual
 2 obligation of the representatives of the public employer and the labor organization
 3 designated and recognized as an exclusive bargaining representative to meet and
 4 bargain in good faith in an effort to reach written agreement with respect to wages,
 5 hours, or terms and conditions of employment.

6 (4) "Public employer" means the state or a political subdivision thereof, or
 7 a department, agency, office, institution, or other organizational unit of state or local
 8 government that employs one or more individuals in any capacity.

9 §67.2. Acceptance of collective bargaining agreement

10 No collective bargaining agreement shall be accepted or ratified by a public
 11 employer or its representative or offered for acceptance to a public employer or its
 12 representative or labor organization or its representative until the collective
 13 bargaining agreement has been made available to the public via the Internet for at
 14 least five days. The public employer shall issue a written public notice in the manner
 15 provided in R.S. 42:19(A)(2) informing the public of how such agreement may be
 16 accessed.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Ligi

HB No. 89

Abstract: Prohibits collective bargaining agreements involving public employers from being accepted or presented for acceptance until the agreement has been made available to the public via the Internet for at least five days.

Proposed law provides that no collective bargaining agreement shall be accepted by a public employer or its representative or presented for acceptance to a public employer or its representative or labor organization or its representative until the collective bargaining agreement has been made available to the public via the Internet for at least five days. Requires the public employer to issue a written public notice in the manner provided in present law provisions relative to open meetings (R.S. 42:19(A)(2)) informing the public of how such agreement may be accessed.

Proposed law provides for the following definitions:

(1) "Employee" means any individual employed by a public employer.

- (2) "Labor organization" means any association or organization of employees and any agency, employee representation committee, or plan in which employees participate that exists, in whole or in part, to advocate on behalf of employees about grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.
- (3) "Public collective bargaining" means the performance of the mutual obligation of the representatives of the public employer and the labor organization designated and recognized as an exclusive bargaining representative to meet and bargain in good faith in an effort to reach written agreement with respect to wages, hours, or terms and conditions of employment.
- (4) "Public employer" means the state or any political subdivision thereof, or any department, agency, office, institution, or other organizational unit of state or local government that employs one or more individuals in any capacity.

(Adds R.S. 44:67.1 and 67.2)

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Removes provisions of proposed law relative to requiring public collective bargaining to be conducted in public sessions.
2. Removes provisions of proposed law providing penalties for violations of proposed law.
3. Removes provisions of proposed law regarding construction of proposed law.
4. Places proposed law in provisions of law relative to public records instead of provisions of law relative to open meetings.