

House Amendment 1326

PAG LIN

1 1 Amend Senate File 313, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, line 10, by inserting after the word
1 4 the following: .
1 5 #2. Page 1, line 33, by striking the words <total
1 6 compensation, including>.
1 7 #3. Page 1, line 35, by inserting after the word
1 8 the following: <, including such
1 9 information filed with the board pursuant to section
1 10 20.29.>.
1 11 #4. Page 3, line 2, by striking the word
1 12 , and inserting the following: <causing.
1 13 The complaining party shall cause>.
1 14 #5. By striking page 6, line 11, through page 7,
1 15 line 10.
1 16 #6. Page 7, lines 27 through 29, by striking the
1 17 words <and shall make minutes or summaries of
1 18 subsequent sessions available to the public>.
1 19 #7. Page 8, line 2, by striking the word
1 20 <bargaining>, and inserting the following:
1 21 <arbitration>.
1 22 #8. Page 8, line 3, by striking the figure
1 23 <20.16A>, and inserting the following: <20.22,
1 24 subsection 9>.
1 25 #9. Page 9, by striking line 10 and inserting the
1 26 following:
1 27 ~~if the public employer is a community college,~~
1 28 ~~the>.~~
1 29 #10. Page 9, line 15, by striking the words <then,
1 30 in>, and inserting the following: <In>.
1 31 #11. Page 10, by inserting after line 24 the
1 32 following:
1 33 _____. Section 20.20, Code 2003, is amended to
1 34 read as follows:
1 35 20.20 MEDIATION.
1 36 In the absence of an impasse agreement negotiated
1 37 pursuant to section 20.19 or the failure of either
1 38 party to utilize its procedures, one hundred twenty
1 39 days prior to the certified budget submission date, or
1 40 one hundred twenty days prior to May 31 of the year
1 41 when the collective bargaining agreement is to become
1 42 effective if public employees represented by the
1 43 employee organization are teachers licensed under
1 44 chapter 272 and the public employer is a school
1 45 district or area education agency, the board shall,
1 46 upon the request of either party, appoint an impartial
1 47 and disinterested person to act as mediator. If the
1 48 public employer is a community college, and in the
1 49 absence of an impasse agreement negotiated pursuant to
1 50 section 20.19 or the failure of either party to
2 1 utilize its procedures, one hundred twenty days prior
2 2 to May 31 of the year when the collective bargaining
2 3 agreement is to become effective, the board, upon the
2 4 request of either party, shall appoint an impartial
2 5 and disinterested person to act as mediator. It shall
2 6 be the function of the mediator to bring to the
2 7 attention of the parties the arbitration factors
2 8 enumerated in section 20.22, subsection 9, and to
2 9 bring the parties together to effectuate a settlement
2 10 of the dispute, but, ~~However,~~ the mediator may not
2 11 compel the parties to agree.>
2 12 #12. Page 10, line 25, by striking the word and
2 13 figure , and inserting the following:
2 14 .
2 15 #13. Page 10, line 26, by striking the word ,
2 16 and inserting the following: .
2 17 #14. Page 10, lines 31 and 32, by striking the
2 18 words and
2 19 inserting the following: <request the board to issue
2 20 subpoenas to compel the attendance of witnesses and
2 21 the production of records. The fact-finder may
2 22 petition the district court at the seat of government
2 23 or of the county in which the hearing is held to
2 24 enforce the subpoena.>

2 25 #15. Page 10, line 33, by striking the words 2 26 dispute>, and inserting the
following: <the dispute
2 27 each impasse item>.

2 28 #16. Page 10, line 34, by striking the word
2 29 <bargaining>, and inserting the following:
2 30 <arbitration>.

2 31 #17. Page 10, line 35, by striking the figure
2 32 <20.16A>, and inserting the following: <20.22,
2 33 subsection 9>.

2 34 #18. Page 10, line 35, through page 11, line 1, by
2 35 striking the words and inserting
2 36 the following: <day of appointment date of the
2 37 hearing>.

2 38 #19. Page 11, line 1, by inserting after the word
2 39 the following: <and recommendations>.

2 40 #20. Page 11, by inserting after line 2 the
2 41 following:
2 42 <The Upon receipt of the fact-finder's findings and
2 43 recommendations, the public employer and the certified
2 44 employee organization shall immediately accept the
2 45 fact-finder's recommendation recommendations in their
2 46 entirety or shall within five days submit the fact=
2 47 finder's recommendations to the governing body of the
2 48 public employer and members of the certified employee
2 49 organization for such acceptance or rejection. If the
2 50 dispute is not resolved by both parties' acceptance of
3 1 the fact-finder's recommendations, the parties may
3 2 continue to negotiate and resolve any remaining
3 3 impasse items. If the dispute continues ten days
3 4 after the report is submitted fact-finder's findings
3 5 and recommendations are served, the report findings
3 6 and recommendations shall be made public by the
3 7 board.>

3 8 #21. Page 11, line 7, by striking the word
3 9 and inserting the following: <or, and>.

3 10 #22. Page 12, by striking lines 30 through 34 and
3 11 inserting the following: 3 12 9. The panel of arbitrators arbitrator shall
3 13 consider, in addition to any other relevant factors,
3 14 the following factors:
3 15 a. Past collective bargaining contracts between
3 16 the parties including the bargaining that led up to
3 17 such contracts.
3 18 b. Comparison of wages, hours and conditions of
3 19 employment of the involved public employees with those
3 20 of other public employees doing comparable work,
3 21 giving consideration to factors peculiar to the area
3 22 and the classifications involved.
3 23 c. The interests and welfare of the public, the
3 24 ability of the public employer to finance economic
3 25 adjustments and the effect of such adjustments on the
3 26 normal standard of services.
3 27 d. The power of the public employer to levy taxes
3 28 and appropriate funds for the conduct of its
3 29 operations. The ability of the public employer to
3 30 finance economic adjustments; provided, however, that
3 31 the employer's ability to finance economic adjustments
3 32 shall not be predicated on the premise that the
3 33 employer may increase or impose new taxes, fees, or
3 34 charges, use funds collected and otherwise dedicated
3 35 by law for a restricted purpose, or develop other
3 36 sources of revenue.
3 37 e. The present and anticipated future economic
3 38 conditions that may impact the financing of economic
3 39 adjustments, including consideration of the public
3 40 employer's financial condition and the general
3 41 economic condition of the state.
3 42 f. Consideration of the economic cost of each item
3 43 of a proposed collective bargaining agreement and the
3 44 relationship of the cost of each item to the total
3 45 economic cost of a proposed collective bargaining
3 46 agreement.>

3 47 #23. Page 14, by inserting after line 6 the
3 48 following:
3 49 _____. Section 20.29, Code 2003, is amended by
3 50 adding the following new unnumbered paragraph:
4 1 NEW UNNUMBERED PARAGRAPH. Within ninety days of
4 2 the completion of a collective bargaining agreement
4 3 entered into pursuant to this chapter, the public
4 4 employer shall file two copies of the agreement with
4 5 the board. In addition, within the same time period,
4 6 the public employer and the applicable certified

4 7 employee organization shall file with the board,
4 8 either jointly or separately, a report on a form
4 9 prescribed by the board which shall include the number
4 10 of employees covered by the agreement, the estimated
4 11 costs of implementing the wage, benefit, and other
4 12 provisions of the agreement having an economic impact,
4 13 the estimated total cost of implementing the agreement
4 14 for the entire term of the agreement, and any other
4 15 information relating to the agreement as requested by
4 16 the board.>

4 17 [#24](#). By renumbering, relettering, or redesignating
4 18 and correcting internal references as necessary.

4 19
4 20

4 21 _____
4 22 COMMITTEE ON COMMERCE, REGULATION AND LABOR
4 23 HANSEN of Pottawattamie, Chairperson
4 24 SF 313.703 80
4 25 ec/cl