

House Amendment 8151

PAG LIN

1 1 Amend House File 2645 as follows:
1 2 #1. Page 1, by inserting after line 6 the
1 3 following:
1 4 <Sec. _____. Section 20.3, Code 2007, is amended by
1 5 adding the following new subsection:
1 6 NEW SUBSECTION. 1A. "Bargaining unit" means only
1 7 those employees in a particular class of employees who
1 8 voluntarily agree to be represented by an employee
1 9 organization.>
1 10 #2. Page 4, by inserting after line 22 the
1 11 following:
1 12 <Sec. _____. Section 20.14, subsection 1, Code 2007,
1 13 is amended to read as follows:
1 14 1. Board certification of an employee organization
1 15 as ~~the exclusive~~ a bargaining representative of a
1 16 bargaining unit shall be upon a petition filed with
1 17 the board by a public employer, public employee, or an
1 18 employee organization and an election conducted
1 19 pursuant to section 20.15. However, notwithstanding
1 20 any provision of this chapter to the contrary,
1 21 multiple employee organizations may represent teachers
1 22 who are licensed under chapter 272 and who are
1 23 employed by a public employer which is a school
1 24 district or area education agency.>
1 25 #3. Page 5, line 14, by striking the words <an
1 26 exclusive> and inserting the following: ~~<an exclusive~~
1 27 a>.
1 28 #4. Page 5, lines 18 and 19, by striking the words
1 29 <employee organization as an exclusive> and inserting
1 30 the following: ~~<exclusive employee organization as~~
1 31 a>.
1 32 #5. Page 5, line 20, by striking the words <an
1 33 exclusive> and inserting the following: <a>.
1 34 #6. Page 5, line 22, by striking the words <an
1 35 exclusive> and inserting the following: <a>.
1 36 #7. Page 5, line 35, by striking the words <an
1 37 exclusive> and inserting the following: ~~<an exclusive~~
1 38 a>.
1 39 #8. Page 6, by inserting after line 17 the
1 40 following:
1 41 <Sec. _____. Section 20.16, Code 2007, is amended to
1 42 read as follows:
1 43 20.16 DUTY TO BARGAIN.
1 44 Upon the receipt by a public employer of a request
1 45 from an employee organization to bargain on behalf of
1 46 public employees, the duty to engage in collective
1 47 bargaining shall arise if the employee organization
1 48 has been certified by the board as ~~the exclusive a~~
1 49 bargaining representative for the public employees in
1 50 that bargaining unit.
2 1 Sec. _____. Section 20.17, subsection 1, Code 2007,
2 2 is amended to read as follows:
2 3 1. The employee organization certified as ~~the a~~
2 4 bargaining representative shall be ~~the exclusive a~~
2 5 representative of ~~all~~ public employees in the
2 6 bargaining unit and shall represent ~~all~~ public
2 7 employees fairly. However, any public employee may
2 8 meet and adjust individual complaints with a public
2 9 employer. To sustain a claim that a certified
2 10 employee organization has committed a prohibited
2 11 practice by breaching its duty of fair representation,
2 12 a public employee must establish by a preponderance of
2 13 the evidence action or inaction by the organization
2 14 which was arbitrary, discriminatory, or in bad faith.>
2 15 #9. Page 9, line 8, by striking the word
2 16 <exclusive> and inserting the following: ~~<exclusive>.~~
2 17 #10. By renumbering as necessary.
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2 20
2 21 MAY of Dickinson
2 22 HF 2645.705 82
2 23 ec/rj/20751

