

SENATE FILE 2216
BY COMMITTEE ON BUSINESS AND
LABOR RELATIONS
Approved (p. 481)
(SUCCESSOR TO SSB 2143)

Passed Senate, Date 3/6/92 (p. 653) Passed House, Date 3/17/92 (p. 639)
Vote: Ayes 41 Nays 0 Vote: Ayes 95 Nays 0
Approved March 23, 1992
motion to reconsider 3/17 (p. 655)
" 6/15 3/18

A BILL FOR

1 An Act relating to the deadline for reaching a collective
2 bargaining agreement by community colleges, allowing for
3 waiver of the deadline by mutual agreement, and providing an
4 effective date.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2216

1 Section 1. Section 20.17, subsection 11, Code Supplement
2 1991, is amended to read as follows:

3 11. a. ~~If the~~ In the absence of an impasse agreement
4 negotiated pursuant to section 20.19 which provides for a
5 different completion date, public employees ~~in~~ represented by
6 a certified employee organization who are teachers licensed
7 under chapter 260, and the who are employed by a public
8 employer which is a school district, ~~community college,~~ or
9 area education agency, shall complete the negotiation of a
10 proposed collective bargaining agreement ~~shall be complete~~ not
11 later than April 15 of the year when the agreement is to
12 become effective. The board shall provide, by rule, a date on
13 which ~~any~~ impasse item items in such cases must be submitted
14 to binding arbitration and for such other procedures as deemed
15 necessary to provide for the completion of negotiations of
16 proposed collective bargaining agreements not later than April
17 15. The date selected for the mandatory submission of impasse
18 items to binding arbitration in such cases shall be
19 sufficiently in advance of April 15 to ~~insure~~ ensure that the
20 arbitrators' decision can be reasonably made before April 15.

21 b. If the public employer is a community college, the
22 following apply:

23 (1) The negotiation of a proposed collective bargaining
24 agreement shall be complete not later than June 1 of the year
25 when the agreement is to become effective, absent the
26 existence of an impasse agreement negotiated pursuant to
27 section 20.19 which provides for a different completion date.
28 The board shall adopt rules providing for a date on which
29 impasse items in such cases must be submitted to binding
30 arbitration and for procedures for the completion of
31 negotiations of proposed collective bargaining agreements not
32 later than June 1. The date selected for the mandatory
33 submission of impasse items to binding arbitration in such
34 cases shall be sufficiently in advance of June 1 to ensure
35 that the arbitrators' decision can be reasonably made by June

1 1.

2 (2) Notwithstanding the provisions of paragraph "a", the
3 June 1 deadline may be waived by mutual agreement of the
4 parties to the collective bargaining agreement negotiations.

5 Sec. 2. Section 20.19, Code Supplement 1991, is amended to
6 read as follows:

7 20.19 IMPASSE PROCEDURES -- AGREEMENT OF PARTIES.

8 As the first step in the performance of their duty to
9 bargain, the public employer and the employee organization
10 shall endeavor to agree upon impasse procedures. Such
11 agreement shall provide for implementation of these impasse
12 procedures not later than one hundred twenty days prior to the
13 certified budget submission date of the public employer.

14 However, if the public employees represented by the employee
15 organization are teachers licensed under chapter 260, and the
16 public employer is a school district, ~~community college,~~ or
17 area education agency, the agreement shall provide for

18 implementation of impasse procedures not later than ninety one
19 hundred twenty days prior to the certified budget submission
20 date of the public employer April 15 of the year when the

21 collective bargaining agreement is to become effective. If

22 the public employer is a community college, the agreement
23 shall provide for implementation of impasse procedures not
24 later than one hundred twenty days prior to June 1 of the year

25 when the collective bargaining agreement is to become
26 effective. If the parties fail to agree upon impasse

27 procedures under the provisions of this section, the impasse
28 procedures provided in sections 20.20 to 20.22 shall apply.

29 Sec. 3. Section 20.20, Code Supplement 1991, is amended to
30 read as follows:

31 20.20 MEDIATION.

32 In the absence of an impasse agreement ~~between the parties~~
33 negotiated pursuant to section 20.19 or the failure of either
34 party to utilize its procedures, one hundred twenty days prior
35 to the certified budget submission date, or ninety one hundred

1 ~~twenty~~ days prior to the ~~certified budget submission date~~
2 April 15 of the year when the collective bargaining agreement
3 is to become effective if the public employees represented by
4 the employee organization are teachers licensed under chapter
5 260 and the public employer is a school district, ~~community~~
6 ~~college~~, or area education agency, the board shall, upon the
7 request of either party, appoint an impartial and
8 disinterested person to act as mediator. If the public
9 employer is a community college, and in the absence of an
10 impasse agreement negotiated pursuant to section 20.19 or the
11 failure of either party to utilize its procedures, one hundred
12 twenty days prior to June 1 of the year when the collective
13 bargaining agreement is to become effective, the board, upon
14 the request of either party, shall appoint an impartial and
15 disinterested person to act as mediator. It shall be the
16 function of the mediator to bring the parties together to
17 effectuate a settlement of the dispute, but the mediator may
18 not compel the parties to agree.

19 Sec. 4. APPLICABILITY. This Act applies to negotiations
20 between community colleges and certified employee
21 organizations which have commenced prior to, but which have
22 not been completed on, the effective date of this Act.

23 Sec. 5. EFFECTIVE DATE. This Act, being deemed of
24 immediate importance, takes effect upon enactment.

25 EXPLANATION

26 This bill provides that community colleges are no longer
27 governed by the April 15 deadline for completion of the
28 collective bargaining process or arbitrators' decision, but
29 must complete the collective bargaining process or receive an
30 arbitrators' decision by June 1, absent an impasse agreement
31 providing for a different date. The bill also provides that
32 the June 1 deadline may be waived and a different date
33 selected by mutual agreement of the parties to the collective
34 bargaining process. The bill is made applicable to
35 negotiations ongoing on the effective date of the bill between

1 community colleges and certified employee organizations.
2 The bill takes effect upon enactment.

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Buhr, Ch.
PETERSON
TAYLOR

SSB 2143
BUSINESS + LABOR RELATIONS
Now
SENATE FILE 2216
BY (PROPOSED COMMITTEE ON BUSINESS
AND LABOR RELATIONS BILL
BY CHAIRPERSON RUNNING)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

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8 employer which is a school district, ~~community-college,~~ or
9 area education agency, shall complete the negotiation of a
10 proposed collective bargaining agreement ~~shall-be-complete~~ not
11 later than April 15 of the year when the agreement is to
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20 arbitrators' decision can be reasonably made before April 15.

21 2. If the public employer is a community college, the
22 following apply:

23 a. The negotiation of a proposed collective bargaining
24 agreement shall be complete not later than June 1 of the year
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27 section 20.19 which provides for a different completion date.
28 The board shall adopt rules providing for a date on which
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2 b. Notwithstanding the provisions of paragraph "a", the
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5 Sec. 2. Section 20.19, Code Supplement 1991, is amended to
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9 bargain, the public employer and the employee organization
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14 However, if the public employees represented by the employee
15 organization are teachers licensed under chapter 260, and the
16 public employer is a school district, ~~community college,~~ or
17 area education agency, the agreement shall provide for
18 implementation of impasse procedures not later than ninety one
19 hundred twenty days prior to the certified budget submission
20 date of the public employer April 15 of the year when the
21 collective bargaining agreement is to become effective. If
22 the public employer is a community college, the agreement
23 shall provide for implementation of impasse procedures not
24 later than one hundred twenty days prior to June 1 of the year
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26 effective. If the parties fail to agree upon impasse
27 procedures under the provisions of this section, the impasse
28 procedures provided in sections 20.20 to 20.22 shall apply.

29 Sec. 3. Section 20.20, Code Supplement 1991, is amended to
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34 party to utilize its procedures, one hundred twenty days prior
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1 twenty days prior to the-certified-budget-submission-date
2 April 15 of the year when the collective bargaining agreement
3 is to become effective if the public employees represented by
4 the employee organization are teachers licensed under chapter
5 260 and the public employer is a school district, community
6 college, or area education agency, the board shall, upon the
7 request of either party, appoint an impartial and
8 disinterested person to act as mediator. If the public
9 employer is a community college, and in the absence of an
10 impasse agreement negotiated pursuant to section 20.19 or the
11 failure of either party to utilize its procedures, one hundred
12 twenty days prior to June 1 of the year when the collective
13 bargaining agreement is to become effective, the board, upon
14 the request of either party, shall appoint an impartial and
15 disinterested to act as mediator. It shall be the function of
16 the mediator to bring the parties together to effectuate a
17 settlement of the dispute, but the mediator may not compel the
18 parties to agree.

19 Sec. 4. APPLICABILITY. This Act applies to negotiations
20 between community colleges and certified employee
21 organizations which have commenced prior to, but which have
22 not been completed on, the effective date of this Act.

23 Sec. 5. EFFECTIVE DATE. This Act, being deemed of
24 immediate importance, takes effect upon enactment.

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SENATE FILE 2216

AN ACT

RELATING TO THE DEADLINE FOR REACHING A COLLECTIVE BARGAINING AGREEMENT BY COMMUNITY COLLEGES, ALLOWING FOR WAIVER OF THE DEADLINE BY MUTUAL AGREEMENT, AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 20.17, subsection 11, Code Supplement 1991, is amended to read as follows:

11. a. ~~if the~~ In the absence of an impasse agreement negotiated pursuant to section 20.19 which provides for a different completion date, public employees ~~in represented by~~ a certified employee organization who are teachers licensed under chapter 260, and the ~~who are employed by~~ a public employer ~~which is a school district, community college, or area education agency,~~ shall complete the negotiation of a proposed collective bargaining agreement ~~shall be complete~~ not later than April 15 of the year when the agreement is to become effective. The board shall provide, by rule, a date on which ~~any impasse item~~ items in such cases must be submitted to binding arbitration and for such other procedures as deemed necessary to provide for the completion of negotiations of proposed collective bargaining agreements not later than April 15. The date selected for the mandatory submission of impasse items to binding arbitration in such cases shall be sufficiently in advance of April 15 to ~~insure~~ ensure that the arbitrators' decision can be reasonably made before April 15.

b. If the public employer is a community college, the following apply:

(1) The negotiation of a proposed collective bargaining agreement shall be complete not later than June 1 of the year when the agreement is to become effective, absent the existence of an impasse agreement negotiated pursuant to section 20.19 which provides for a different completion date. The board shall adopt rules providing for a date on which impasse items in such cases must be submitted to binding arbitration and for procedures for the completion of negotiations of proposed collective bargaining agreements not later than June 1. The date selected for the mandatory submission of impasse items to binding arbitration in such cases shall be sufficiently in advance of June 1 to ensure that the arbitrators' decision can be reasonably made by June 1.

(2) Notwithstanding the provisions of paragraph "a", the June 1 deadline may be waived by mutual agreement of the parties to the collective bargaining agreement negotiations.

Sec. 2. Section 20.19, Code Supplement 1991, is amended to read as follows:

20.19 IMPASSE PROCEDURES -- AGREEMENT OF PARTIES.

As the first step in the performance of their duty to bargain, the public employer and the employee organization shall endeavor to agree upon impasse procedures. Such agreement shall provide for implementation of these impasse procedures not later than one hundred twenty days prior to the certified budget submission date of the public employer. However, if the public employees represented by the employee organization are teachers licensed under chapter 260, and the public employer is a school district, community college, or area education agency, the agreement shall provide for implementation of impasse procedures not later than ninety ~~one hundred twenty~~ days prior to the ~~certified budget submission date of the public employer~~ April 15 of the year when the

collective bargaining agreement is to become effective. If the public employer is a community college, the agreement shall provide for implementation of impasse procedures not later than one hundred twenty days prior to June 1 of the year when the collective bargaining agreement is to become effective. If the parties fail to agree upon impasse procedures under the provisions of this section, the impasse procedures provided in sections 20.20 to 20.22 shall apply.

Sec. 3. Section 20.20, Code Supplement 1991, is amended to read as follows:

20.20 MEDIATION.

In the absence of an impasse agreement between the parties negotiated pursuant to section 20.19 or the failure of either party to utilize its procedures, one hundred twenty days prior to the certified budget submission date, or ninety one hundred twenty days prior to the certified budget submission date April 15 of the year when the collective bargaining agreement is to become effective if the public employees represented by the employee organization are teachers licensed under chapter 260 and the public employer is a school district, community college, or area education agency, the board shall, upon the request of either party, appoint an impartial and disinterested person to act as mediator. If the public employer is a community college, and in the absence of an impasse agreement negotiated pursuant to section 20.19 or the failure of either party to utilize its procedures, one hundred twenty days prior to June 1 of the year when the collective bargaining agreement is to become effective, the board, upon the request of either party, shall appoint an impartial and disinterested person to act as mediator. It shall be the function of the mediator to bring the parties together to effectuate a settlement of the dispute, but the mediator may not compel the parties to agree.

Sec. 4. APPLICABILITY. This Act applies to negotiations between community colleges and certified employee

organizations which have commenced prior to, but which have not been completed on, the effective date of this Act.

Sec. 5. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

MICHAEL E. GRONSTAL
President of the Senate

ROBERT C. ARNOULD
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2216, Seventy-fourth General Assembly.

JOHN P. DWYER
Secretary of the Senate

Approved March 23, 1992

TERRY E. BRANSTAD
Governor