

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 2214

By: Russ

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5
6 AS INTRODUCED

7 An Act relating to school employees; amending 70 O.S.
8 2011, Sections 509.8, 509.9 and 509.10, which relate
9 to negotiation between school employees and
10 districts; prohibiting school strike or shutdown by
11 board of education or school employees; specifying
12 entities and officials involved in negotiations;
13 denying payment of wages during strike or shutdown;
14 requiring permanent revocation of certificate issued
15 by State Board of Education; providing gender neutral
16 language; updating statutory reference; eliminating
17 agreements between school districts and employee
18 organizations upon specified date; ending recognition
19 of employee organization upon specified date;
20 repealing 70 O.S. 2011, Sections 509.1, 509.2, as
21 amended by Section 24, Chapter 124, O.S.L. 2014,
22 509.2a, 509.3, 509.6, as amended by Section 2,
23 Chapter 56, O.S.L. 2015 and 509.7 (70 O.S. Supp.
24 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:

1 Section 509.8 ~~The procedure provided for herein for resolving~~
2 ~~impasses shall be the exclusive recourse of the organization.~~ It
3 shall be illegal for the ~~organization~~ board of education or school
4 district employees, including all those defined in Section 1-116 of
5 this title, to strike or threaten to strike or otherwise close
6 schools or interfere with school operations as a means of resolving
7 differences with the board of education, the State Department of
8 Education, the State Board of Education, the Legislature or any
9 other public official or public body. Any ~~member of an organization~~
10 person engaging in a strike, shutdown or related activities shall be
11 denied the full amount of his or her wages during the period of such
12 violation. ~~If the organization or its members engage in a strike,~~
13 ~~then the organization shall cease to be recognized as representative~~
14 ~~of the unit and the school district shall be relieved of the duty to~~
15 ~~negotiate with such organization or its representatives,~~ and if the
16 person holds a certificate issued by the State Board of Education,
17 such certificate shall be permanently revoked.

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

20 Section 509.9 No employee shall be discriminated against by the
21 board of education, superintendent or any other administrative
22 officer of a district or by any employee organization, its officers
23 or any member thereof because of his or her exercise or nonexercise
24 of rights under this act. It shall be prohibited for an employee

1 organization, employee or employer to impede, restrain or coerce an
2 employer or employees in the exercise of the rights guaranteed in
3 Sections ~~509.1~~ 509.8 through ~~509.10~~ 509.11 of this title.

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

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

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

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

19 SECTION 5. REPEALER 70 O.S. 2011, Sections 509.1, 509.2,
20 as amended by Section 24, Chapter 124, O.S.L. 2014, 509.2a, 509.3,
21 509.6, as amended by Section 2, Chapter 56, O.S.L. 2015 and 509.7
22 (70 O.S. Supp. 2018, Sections 509.2 and 509.6), are hereby repealed.

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SECTION 6. This act shall become effective November 1, 2019.

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