

2012 -- H 7250

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS - CERTIFIED SCHOOL TEACHERS'
ARBITRATION

Introduced By: Representatives Carnevale, DaSilva, Savage, DeSimone, and Slater

Date Introduced: January 25, 2012

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-9.3-9 of the General Laws in Chapter 28-9.3 entitled "Certified
2 School Teachers' Arbitration" is hereby amended to read as follows:

3 **28-9.3-9. Unresolved issues submitted to mediation or arbitration.** -- (a) In the event
4 that the negotiating or bargaining agent and the school committee are unable, within thirty (30)
5 days from and including the date of their first meeting, to reach an agreement on a contract, either
6 of them may request mediation and conciliation upon any and all unresolved issues by the
7 director of labor and training or from any other source. If mediation and conciliation fail or are
8 not requested, at any time after the thirty (30) days, either party may request that any and all
9 unresolved issues shall be submitted to arbitration by sending the request by certified mail
10 postage prepaid to the other party, setting forth the issues to be arbitrated.

11 (b) In the event that the negotiating or bargaining agent and the school committee are
12 unable to reach an agreement on a contract thirty (30) days before the last day on which money
13 can be appropriated by the city and town to cover the first year of the contract period, any and all
14 unresolved issues shall be submitted to the director of labor and training for compulsory
15 mediation until the date upon which the money is scheduled to be appropriated. The director of
16 labor and training or his or her designee may waive this requirement upon the mutual agreement
17 of the parties.

18 (c) In the event that the negotiating or bargaining agent and the school committee are

1 unable within ten (10) days of the scheduled close of school in June of the last year of the
2 contract in effect to reach an agreement on a contract, any and all unresolved issues shall be
3 submitted to the director of labor and training for compulsory mediation.

4 (d) If the parties cannot mutually agree upon a mediator within twenty-four (24) hours,
5 the director of labor and training shall select a mediator from a panel previously established by
6 the director comprised of persons knowledgeable in the field of labor management relations to
7 mediate the dispute. The department of labor and training is empowered to compel the attendance
8 of all the parties to any and all meetings it deems necessary until the dispute is resolved.

9 (e) For any mediation pertaining to unresolved issues that are submitted to compulsory
10 mediation between the negotiating or bargaining agent and the school committee, pursuant to the
11 provisions of this section, the state shall pay up to five thousand dollars (\$5,000) of the cost of the
12 mediation expenses. Any costs above five thousand dollars (\$5,000) shall be shared equally
13 between the bargaining unit and the school committee.

14 (f) In the event that a successor collective bargaining agreement has not been agreed to
15 by the parties, then the existing contract shall continue in effect until such time as an agreement
16 has been reached between the parties.

17 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would provide that if a successor collective bargaining agreement has not been
2 agreed to by the parties, then the terms and conditions of the old teachers' contract would remain
3 in full force and effect until a new agreement is reached.

4 This act would take effect upon passage.

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