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LC003823/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS - MUNICIPAL EMPLOYEES
ARBITRATION

Introduced By: Representative Patricia A.Serpa

Date Introduced: February 26, 2014

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-9.1-6 of the General Laws in Chapter 28-9.1 entitled
2 "Firefighters' Arbitration" is hereby amended to read as follows:

3 **28-9.1-6. Obligation to bargain.** -- It shall be the obligation of the city or town, acting
4 through its corporate authorities, to meet and confer in good faith with the representative or
5 representatives of the bargaining agent within ten (10) days after receipt of written notice from
6 the bargaining agent of the request for a meeting for collective bargaining purposes. This
7 obligation shall include the duty to cause any agreement resulting from the negotiations to be
8 reduced to a written contract, provided that no contract shall exceed the term of one year, unless a
9 longer period is agreed upon in writing by the corporate authorities and the bargaining agents, but
10 in no event shall the contract exceed the term of three (3) years unless a budget commission or a
11 receiver has been appointed for a municipality pursuant to [Chapter 45-9, 9 of title 45](#) ~~in which~~
12 ~~ease~~ [or if a municipality has a locally administered pension plan in "critical status" and is required](#)
13 [to submit a funding improvement plan pursuant to § 45-65-6\(2\), in either of which case](#) the
14 contract shall not exceed the term of five (5) years. An unfair labor practice charge may be
15 complained of by either the employer's representative or the bargaining agent to the state labor
16 relations board which shall deal with the complaint in the manner provided in chapter 7 of this
17 title.

18 SECTION 2. Section 28-9.2-6 of the General Laws in Chapter 28-9.2 entitled "Municipal

1 Police Arbitration" is hereby amended to read as follows:

2 **28-9.2-6. Obligation to bargain.** -- It shall be the obligation of the city or town, acting
3 through its corporate authorities, to meet and confer in good faith with the designated
4 representative or representatives of the bargaining agent, including any legal counsel selected by
5 the bargaining agent, within ten (10) days after receipt of written notice from the bargaining agent
6 of the request for a meeting for collective bargaining purposes. This obligation includes the duty
7 to cause any agreement resulting from the negotiations to be reduced to a written contract,
8 provided that no contract shall exceed the term of one year, unless a longer period is agreed upon
9 in writing by the corporate authorities and the bargaining agent, but in no event shall the contract
10 exceed the term of three (3) years unless a budget commission or a receiver has been appointed
11 for a municipality pursuant to chapter ~~45-9, 9 of title 45 in which case~~ [or if a municipality has a](#)
12 [locally administered pension plan in "critical status" and is required to submit a funding](#)
13 [improvement plan pursuant to § 45-65-6\(2\), in either of which case](#) the contract shall not exceed
14 the term of five (5) years. An unfair labor charge may be complained of by either the employer's
15 representative or the bargaining agent to the state labor relations board which shall deal with the
16 complaint in the manner provided in chapter 7 of this title.

17 SECTION 3. Section 28-9.3-4 of the General Laws in Chapter 28-9.3 entitled "Certified
18 School Teachers' Arbitration" is hereby amended to read as follows:

19 **28-9.3-4. Obligation to bargain.** -- It shall be the obligation of the school committee to
20 meet and confer in good faith with the representative or representatives of the negotiating or
21 bargaining agent within ten (10) days after receipt of written notice from the agent of the request
22 for a meeting for negotiating or collective bargaining purposes. This obligation includes the duty
23 to cause any agreement resulting from negotiations or bargaining to be reduced to a written
24 contract; provided, that no contract shall exceed the term of three (3) years unless a budget
25 commission or a receiver has been appointed for a municipality pursuant to chapter ~~45-9, 9 of~~
26 [title 45 or if a municipality has a locally administered pension plan in "critical status" and is](#)
27 [required to submit a funding improvement plan pursuant to § 45-65-6\(2\), in which either](#) case the
28 contract shall not exceed the term of five (5) years. An unfair labor practice charge may be
29 complained of by either the bargaining agent or the school committee to the state labor relations
30 board which shall deal with the complaint in the manner provided in chapter 7 of this title.

31 SECTION 4. Section 28-9.4-5 of the General Laws in Chapter 28-9.4 entitled "Municipal
32 Employees' Arbitration" is hereby amended to read as follows:

33 **28-9.4-5. Obligation to bargain.** -- It shall be the obligation of the municipal employer
34 to meet and confer in good faith with the representative or representatives of the negotiating or

1 bargaining agent within ten (10) days after receipt of written notice from the agent of the request
2 for a meeting for negotiating or collective bargaining purposes. This obligation includes the duty
3 to cause any agreement resulting from negotiation or bargaining to be reduced to a written
4 contract; provided, that no contract shall exceed the term of three (3) years unless a budget
5 commission or a receiver has been appointed for a municipality pursuant to chapter ~~45-9, 9 of~~
6 title 45 in which case or if a municipality has a locally administered pension plan in "critical
7 status" and is required to submit a funding improvement plan pursuant to § 45-65-6(2), in either
8 of which case the contract shall not exceed the term of five (5) years. Failure to negotiate or
9 bargain in good faith may be complained of by either the negotiating or bargaining agent or the
10 municipal employer to the state labor relations board, which shall deal with the complaint in the
11 manner provided in chapter 7 of this title. An unfair labor practice charge may be complained of
12 by either the bargaining agent or employer's representative to the state labor relations board,
13 which shall deal with the complaint in the manner provided in chapter 7 of this title.

14 SECTION 5. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO LABOR AND LABOR RELATIONS - MUNICIPAL EMPLOYEES
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1 This act would provide that in the event a municipality has a locally administered
2 firefighter, police, teacher or municipal employee pension plan in "critical status", and changes
3 are required to implement a funding improvement plan, then in such event no contract would
4 exceed the term of five (5) years.

5 This act would take effect upon passage.

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