

# SENATE BILL No. 190

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-29.

**Synopsis:** Teacher bargaining and voting. Provides that a district wide or school wide committee that has teacher members who are members of the exclusive representative and teacher members who are not members of the exclusive representative may address subjects of bargaining. Provides that all members of a bargaining unit are entitled to vote on a collective bargaining agreement, whether or not the members of the bargaining unit are members of the exclusive representative.

**Effective:** July 1, 2014.

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January 8, 2014, read first time and referred to Committee on Pensions and Labor.

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Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

## SENATE BILL No. 190

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 20-29-5-7, AS ADDED BY P.L.48-2011,  
2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2014]: Sec. 7. (a) This section does not apply to the  
4 bargaining team for the exclusive representative.  
5 (b) The percentage of teacher positions the exclusive representative  
6 may appoint to serve on a statutory or locally created district wide  
7 committee may not exceed the percentage of teachers in the school  
8 corporation who are members of the exclusive representative. If  
9 multiplying the number of teacher positions on the committee by the  
10 percentage of teachers in the school corporation who are members of  
11 the exclusive representative does not produce a whole number, the  
12 product must be rounded up to the nearest whole number. The  
13 percentage of positions applies to the number of teacher positions on  
14 a committee and not to the total number of positions on a committee.  
15 (c) The percentage of teacher positions the exclusive representative  
16 may appoint to serve on a statutory or locally created school wide



1 committee may not exceed the percentage of teachers in the school who  
 2 are members of the exclusive representative. If multiplying the number  
 3 of teacher positions on the committee by the percentage of teachers in  
 4 the school who are members of the exclusive representative does not  
 5 produce a whole number, the product must be rounded up to the nearest  
 6 whole number. The percentage of positions applies to the number of  
 7 teacher positions on a committee and not to the total number of  
 8 positions on a committee.

9 ~~(d) A committee to which this section applies may not address~~  
 10 ~~subjects of bargaining under this article.~~ A school employer's  
 11 appointment of a teacher to a committee is not an unfair practice as it  
 12 relates to the appointment of the teacher committee members.

13 (e) By September 15 of each school year, the local president or other  
 14 officer or designee of the exclusive representative shall certify by  
 15 affidavit to the school employer the number of teachers in each school  
 16 and in the entire school corporation who are members of the exclusive  
 17 representative.

18 SECTION 2. IC 20-29-6-6, AS ADDED BY P.L.1-2005, SECTION  
 19 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
 20 2014]: Sec. 6. **(a)** The obligation to bargain collectively does not  
 21 include the final approval of a contract concerning any items.  
 22 Agreements reached through collective bargaining are binding as a  
 23 contract only if ratified by the governing body of the school corporation  
 24 and the exclusive representative. The obligation to bargain collectively  
 25 does not require the school employer or the exclusive representative to  
 26 agree to a proposal of the other or to make a concession to the other.

27 **(b) An agreement reached through collective bargaining is**  
 28 **binding as a contract only if a majority of the members of a**  
 29 **bargaining unit vote in favor of the contract. A member of a**  
 30 **bargaining unit is entitled to vote concerning a contract whether or**  
 31 **not the member of the bargaining unit is a member of the school**  
 32 **employee organization that is the exclusive representative.**

