

1 STATE OF OKLAHOMA

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

3 SENATE BILL NO. 707

By: Stanislawski

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6 AS INTRODUCED

7 An Act relating to school employee organizations;
8 requiring certain employee organization to submit
9 certain information to a school district board of
10 education; requiring a board of education to hold a
11 secret ballot election; directing the board of
12 education to determine how the election is to be
13 conducted; authorizing the board of education to
14 establish a fee schedule to fund the election;
15 providing for decertification of an organization if
16 it fails to receive a sufficient number of votes;
17 providing for continuation of certain contract terms
18 of an organization is decertified; allowing certain
19 employees to certify a new employee organization
20 under certain circumstances; requiring timeframe for
21 elections; providing for codification; providing an
22 effective date; and declaring an emergency.

23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

24 SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 509.2b of Title 70, unless there
is created a duplication in numbering, reads as follows:

25 A. Beginning August 30, 2019, and each August 30 thereafter, an
26 employee organization established pursuant to the provisions of
27 Section 509.2 of Title 70 of the Oklahoma Statutes shall submit to a
28 school district board of education the percentage of employees, as

1 defined in Section 509.2 of Title 70 of the Oklahoma Statutes and
2 Section 1-116 of Title 70 of the Oklahoma Statutes, represented by
3 the organization.

4 B. 1. A school district board of education shall hold a secret
5 ballot election to determine whether the organization retains
6 support of a majority of all employees in the organization.

7 2. The school district board of education shall determine
8 whether elections shall be conducted in person, by mail, by
9 telephone, by Internet-based systems or by any other means
10 determined by the board of education to be fair, confidential and
11 reliable. The board of education shall allow employees to cast
12 ballots for a period of five (5) business days.

13 3. The school district board of education may establish a fee
14 schedule, consistent with the provisions of Section 509.2 of Title
15 70 of the Oklahoma Statutes, for employee organizations subject to
16 elections conducted pursuant to the provisions of this section for
17 the purpose of funding the election.

18 C. If a majority of all employees vote in favor of retaining
19 the employee organization, the organization shall remain the
20 representative of employees in the organization pursuant to the
21 provisions of Section 509.2 of Title 70 of the Oklahoma Statutes.
22 If a majority of all employees do not vote in favor of retaining the
23 existing employee organization, the organization shall be considered
24 decertified, the school district board of education shall no longer

1 recognize the organization as the representative of employees in the
2 unit and the employees shall be unrepresented.

3 D. When an existing employee organization is no longer
4 recognized, the terms of any pre-existing contract between the
5 employee organization and the employees represented by the
6 organization shall continue and remain in effect for the remaining
7 contract term.

8 E. A school district board of education may recognize a new
9 employee organization in accordance with the provisions of Section
10 509.2 of Title 70 of the Oklahoma Statutes, but the new employee
11 organization may not be substantially similar to or affiliated with
12 an employee organization that has lost recognition pursuant to the
13 provisions of subsection C of this section for twelve (12) months
14 from the date of the loss of recognition.

15 F. A school district board of education subject to the
16 provisions of subsection B of this section shall hold an election to
17 certify majority support of an existing employee organization no
18 later than December 31, 2019, and every third year thereafter.

19 SECTION 2. This act shall become effective July 1, 2019.

20 SECTION 3. It being immediately necessary for the preservation
21 of the public peace, health or safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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