

S.F. No. 1632 – Public Labor Relations Modifications

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Section 1. **Access by labor organizations.** Requires personnel data be disseminated to labor organizations to the extent necessary to conduct elections, notify employees of fair share fee assessments, and implement the provisions of chapters 179 and 179A.

Section 2. **Plan.** Requires a school board or charter school to meet and negotiate with the teacher’s representative before adopting an e-learning day plan.

Section 3. **Limitations on license.** Allows a Tier 1 teacher to be part of a labor organization.

Section 4. **Exceptions.** Modifies which licensed teachers are part of the collective bargaining unit to include community education and early childhood family education teachers.

Effective Date. Makes the section effective for the 2023-2024 school year and later.

Section 5. **Probationary period.** Reduces the minimum time a probationary teacher must complete teaching service each year during the probationary period from 120 days to 60 days.

Section 6. **Probationary period; discharge or demotion.** Modifies the probationary period so that teachers in cities of the first class are the same as teachers not in cities of the first class. Sets the probationary period in a subsequent district at one year for a teacher that completes the three-year period in the first district. Reduces the minimum time a probationary teacher must complete teaching service each year during the probationary period from 120 days to 60 days.

Section 7. **Public employee or employee.** Modifies the definition of “public employee” for bargaining unit purposes. Allows a temporary or seasonal employee working for a school district or charter school to be included in the definition of “public employee,” for collective bargaining purposes.

Section 8. **Teacher.** Modifies the definition of “teacher” for bargaining unit purposes to include a public employee in a position that provides instruction to children in a prekindergarten or early learning program. Makes an exception that an employee in a bargaining unit certified before January 1, 2023, may remain in a bargaining unit that does not include teachers unless an exclusive representative files a petition for a unit clarification or to transfer exclusive representative status.

Effective Date. Makes the section effective July 1, 2023.

Section 9. **Terms and conditions of employment.** Modifies the definition of “terms and conditions of employment” for bargaining unit purposes to include staffing ratios, class sizes in school districts and charter schools, student testing, and student-to-personnel ratios in school districts.

Section 10. **Liability.** Establishes a defense to claims or actions based on agency or fair share fees against a public employer, union, or any of its employees or agents. Clarifies that this section applies to claims or actions pending on or after the effective date. States that this section clarifies rather than changes state law on pending claims.

Effective Date. Makes the section effective the day following final enactment.

Section 11. **Time off.** Requires a public employer provide for reasonable time off to elected or appointed officials of an affiliate of an exclusive representative.

Section 12. **Bargaining unit information.** Requires that a public employer provide an exclusive representative contact information of a newly hired bargaining unit employee within ten calendar days from the date of hire. Requires a public employer provide an exclusive representative contact information for all bargaining unit employees beginning January 1, 2024, and every 120 calendar days after.

Section 13. **Access.** (a) Requires a public employer provide an exclusive representative access to members of the bargaining unit including the right to meet on worksite premises during the workday to discuss various matters, and the right to meet with newly hired employees. (b) Requires a public employer provide an exclusive representative access to the employer’s email system to communicate with bargaining unit members regarding various matters. (c) Requires a public employer provide an exclusive representative access to public employer facilities to conduct meetings regarding various matters. Clarifies that meetings conducted in government buildings under this subdivision must not be for the purpose of supporting or opposing partisan political office candidates. Clarifies that an exclusive representative that conducts a meeting under this subdivision may be charged for costs that would not otherwise be incurred by the government entity.

Section 14. **Witnesses; subpoenas; depositions; discovery.** Allows an arbitrator to issue a protective order to prevent the disclosure of data classified as nonpublic or private pursuant to chapter 13.