

HOUSE BILL NO. 1519

Introduced by

Representatives Myxter, Gruchalla, Kaldor, J. Kelsh

Senators Bakke, Fiebiger

1 A BILL for an Act to create and enact a new section to chapter 15.1-16 of the North Dakota
2 Century Code, relating to a grievance procedure and binding arbitration; and to amend and
3 reenact sections 15.1-16-13 and 15.1-16-14 of the North Dakota Century Code, relating to
4 good-faith negotiations and impasses.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 15.1-16-13 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **15.1-16-13. Good-faith negotiations.**

- 9 1. The board of a school district or its representatives and the representative
10 organization or its representatives shall, if requested by either entity, meet at
11 reasonable times and negotiate in good faith regarding:
- 12 a. The terms and conditions of employment;
 - 13 b. Employer-employee relations;
 - 14 c. Formation of a contract, ~~which may contain a provision for binding arbitration;~~
15 and
 - 16 d. The interpretation of an existing contract.
- 17 2. The board of a school district and the representative organization, at the request of
18 either party, shall execute a written contract incorporating any agreement reached.
- 19 3. Either the board of a school district or the representative organization may modify
20 or terminate the contract on its annual anniversary date by giving notice of its
21 desire to modify or terminate the contract to the other party not less than sixty days
22 before the annual anniversary date.
- 23 4. Nothing in this section compels either the board of a school district or a
24 representative organization to agree to a proposal or to make a concession.

1 **SECTION 2.** A new section to chapter 15.1-16 of the North Dakota Century Code is
2 created and enacted as follows:

3 **Contract - Required grievance procedure - Binding arbitration.** A contract entered
4 between the board of a school district and the representative organization under section
5 15.1-16-13 must include a grievance procedure and provide for compulsory binding arbitration
6 of any grievance; provided, however, that the binding arbitration may not modify the terms of
7 the contract.

8 **SECTION 3. AMENDMENT.** Section 15.1-16-14 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **15.1-16-14. Impasse - Existence.**

11 ~~4.~~ An impasse exists if:

12 ~~a.~~ 1. After a reasonable period of negotiation, ~~an agreement~~ a contract has not been
13 formulated and a dispute exists; ~~or~~

14 ~~b.~~ 2. The board of a school district and the representative organization both agree that
15 an impasse exists.

16 ~~2.~~ An impasse may exist if:

17 ~~a.~~ A written contract entered into between the board of a school district and the
18 representative organization under section 15.1-16-13 does not contain a
19 procedure for resolving a dispute.

20 ~~b.~~ A written agreement entered into between the board of a school district and
21 the representative organization under section 15.1-16-13 contains an
22 inadequate procedure for resolving a dispute.