

Public Employee Labor Boards and Commissions by State:

- **Alaska -**

1. Alaska Statutes Title 23, Ch. 40, § 23.40.070 *et seq.* (Public Employment Relations Act):

The Alaska statute: (1) recognizes the right of “public employees” (defined in § 23.40.250 (6) as “any employee of a public employer, whether or not in the classified service of the public employer, except elected or appointed officials or superintendents of schools”) to organize for the purpose of collective bargaining; (2) requires public employers to negotiate with and enter into written agreements with employee organizations on matters of wages, hours, and other terms and conditions of employment; and, (3) maintains merit-system principles among public employees.

2. Alaska Statutes Title 42, Ch. 40, § 42.40.720 *et seq.* (Alaska Railroad Corporation Act):

Employees of the Alaska Railroad are employees of the corporation and not of the state. However, pursuant to § 42.40.720, (Collective Bargaining Rights), “employees who are not executive officers may organize and form, join, or assist an organization to engage in collective bargaining through representatives of their own choosing and engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection.” § 42.40.730 creates the “Railroad Labor Relations Agency” as the “sole railroad labor relations agency” with duties and responsibilities substantially similar to the State Board. See, Alaska Statutes § 42.40.730 - 42.40.890.

- **Arizona -**

1. Executive Order 2008-30, establishes a “meet and confer” process for Executive Agencies of State Government.
2. See *also*, City of Phoenix ordinance No. G-3303, § 2.

The City of Phoenix passed an ordinance in 1995 authorizing the City to meet and confer with recognized representatives of its employees, in advance of the budget-making process, with respect to wages, hours and other terms and conditions of employment. The Phoenix Employment Relations Board consists of five members serving three-year terms. The Board’s regular chairman is selected by the Federal Mediation and Conciliation Service, or in the absence of an FMCS submission, by the American Arbitration Association. Member No. 2 is selected by the Mountain States Employers Council, Inc.; Member No. 3 is selected by the Maricopa Area Labor Federation; No. 4 and No. 5 are chosen by the mayor and city council from among the “general public”.

- **California -**

1. Government Code Title I Div. 4 Chap. 10 [§§ 3500-3510](#) (Meyers-Milias-Brown Act):

The (Meyers-Milias-Brown Act) requires governmental subdivisions of the State including districts, public and quasi-public corporations, public agencies, public service corporations, towns, cities, counties, city and county and municipal corporations, whether incorporated or not and whether chartered or not, except school districts or boards of education having a merit system to permit their employees to form, join, and participate in the activities of employee organizations for the purpose of “representation on all matters of employer-employee relations.” The judiciary is also excluded. The state Act does not supersede pre-existing merit or civil service systems or “procedures for the administration of employer-employee relations” at either the state or local level.

2. Government Code Title I Div. 4 Chap. 10 [§§ 3540 - 3549.3](#) (Public Educational Employer-Employee Relations Act):

The EERA established collective bargaining in California’s public schools (K-12) and community colleges.

3. Government Code Title I Div. 4 Chap. 10 [§§ 3512-3524](#) (Ralph C. Dills Act)

The Dills Act extended jurisdiction of the Educational Employment Relations Board, to include all State civil service employees as well as employees of the California State University and University of California systems and Hastings College of Law (the Higher Education Employer-Employee Relations Act (HEERA) of 1979) (Gov. Code, § 3560 *et seq.*) thereby creating the Public Employee Labor Relations Board (PERB). As of July 1, 2001, PERB acquired jurisdiction over the Meyers-Milias-Brown Act of 1968 which established collective bargaining for California’s city, county, and local special district employers and employees. PERB’s jurisdiction over the MMBA excludes specified peace officers, management employees, and the City and County of Los Angeles.

The Public Employment Relations Board’s and duties are set forth in [§ 3541](#):

The five-member Public Employment Relations Board is independent of any state agency. The members of the board are appointed by the Governor by and with the advice and consent of the Senate. The Governor selects one member to serve as chairperson. Members of the Board are salaried and each may have a legal advisor assigned to assist and advise him or her. A member of the board may be removed by the Governor upon notice and hearing for neglect of duty or malfeasance in office, but for no other cause.

4. Government Code Title I Div. 4 Chap. 10 §§ 3525 - 3539.5 (Excluded Employees Bill of Rights):

The purpose of this chapter is to grant to state supervisory, managerial, confidential, and employees otherwise excepted from coverage under the Ralph C. Dills Act the right to represent their excluded members in their employment relations, including grievances, with the State of California.

5. Government Code Title I Div. 4 Chap. 10 §§ 3560-3599 (Higher Education Employer-Employee Relations):

The right of public school employees to engage in collective bargaining through the Dills Act was expanded by the Higher Education Employer-Employee Relations Act to cover the employees of the University of California, Hastings College of the Law, and the California State University.

6. Labor Code §§ 1960-1964 (Fire Fighters' Right to Bargain Collectively):

By operation of this section of the Labor Code neither the State nor any county, political subdivision, incorporated city, town, nor any other municipal corporation shall prohibit, deny or obstruct the right of firefighters to join any bona fide labor organization of their own choice. The provisions of Labor Code Section 923 prohibiting an employer from interfering with employees' organizational and associational rights were made applicable to firefighters.

7. Public Utility Code § 99560 *et seq.* (Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act):

On January 1, 2004, PERB's jurisdiction was expanded by TEERA to include the supervisory employees of the Los Angeles County Metropolitan Transportation Authority.

8. Government Code, § 71600 *et seq.* (Trial Court Act) and Government Code, § 71800 *et seq.* (Court Interpreter Act):

Effective August 16, 2004, California's PERB also acquired jurisdiction over the Trial Court Employment Protection and Governance Act of 2000 and the Trial Court Interpreter Employment and Labor Relations Act of 2002. By the above statutory references, the California Labor Relations Board has jurisdiction over both state and local government including the judiciary, but excluding peace officers and Los Angeles City and County employees. For those employees, a Los Angeles City Board "Local option" is authorized under CA Government Code, §§ 3507 - 3509.

Additional local option information:

The state law expressly establishes Los Angeles municipal and Los Angeles County local boards, which do not fall under the jurisdiction of the State board.

- **Colorado -**

1. [Executive Order D 028 07](#) (Partnership Agreements with State Employees):

By Executive Order the Governor's Designee and the representatives of Certified Employee Organizations have a mutual obligation to negotiate in good faith concerning terms and conditions of employment with the goal of entering into "Partnership Agreements". A Partnership Agreement may be negotiated, depending upon the nature of the issues subject to the Agreement, on a statewide basis, occupational group basis, or departmental basis. The Director of the Division of Labor is designated as the neutral party charged with implementing and administering Executive Order D 028 07. The Director has the authority to:

- a) appoint a panel to advise and make recommendations to the Director of the Division of Labor regarding matters delegated to the Director under this Executive Order;
- b) appoint qualified, disinterested, mutually acceptable mediators to assist parties in resolving impasses and disputes, issue findings of fact, and/or make recommendations to the parties;
- c) conduct elections and make determinations regarding certification of exclusive representation;
- d) appoint election monitors to take complaints regarding the conduct of elections and to make recommendations regarding the disposition of such complaints;
- e) resolve the issues that may arise under this Executive Order; and
- f) promulgate such guidelines and establish such procedures as may be necessary for the proper implementation of this Executive Order.

- **Connecticut -**

1. Connecticut General Statutes, Title 5, [§ 5-270 et seq.](#)(Collective Bargaining for State Employees):

The Connecticut Statute grants state employees the right to form, join or assist any employee organization, to bargain collectively through representatives of their own choosing on questions of wages, hours and other conditions of employment, (except the establishment, conduct and grading of merit examinations, the rating of candidates and the establishment of lists from such examinations and the appointments from such lists as provided in subsection (d) of [Section 5-272](#),) and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, free from actual interference, restraint or coercion.

2. Connecticut General Statutes, Title 7, § 7- 467 *et seq.* (Municipal Employee Relations Act):

Employees of a municipal employer, whether or not in the classified service of the municipal employer, except elected officials, administrative officials, board and commission members, certified teachers, part-time employees who work less than twenty hours per week on a seasonal basis, department heads and persons in such other positions shall have, the right to form, join or assist any employee organization, to bargain collectively through representatives of their own choosing on questions of wages, hours and other conditions of employment and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or from actual interference, restraint or coercion. Disputes and impasses under this provision are submitted to the State Board of Mediation and Arbitration and the state board serves as staff to the arbitration panel.

3. Connecticut General Statutes, Title 10, Ch. 166, § 10-153(a) *et seq.* (Teachers' bargaining rights):

Teachers are granted the right to form, join or assist, or refuse to form, join or assist, any organization for professional or economic improvement and to negotiate in good faith through representatives of their own choosing with respect to salaries, hours and other conditions of employment. Negotiation of "hours" shall not include the length of the student school year, the scheduling of the student school year, the length of the student school day, the length and number of parent-teacher conferences and the scheduling of the student school day, except for the length and the scheduling of teacher lunch periods and teacher preparation periods. Negotiation of "other conditions of employment" shall not include the establishment or provisions of any retirement incentive plan. Negotiations take place between the local or regional board of education and the organization designated or elected as the exclusive representative for the appropriate unit.

The statute also provides for an arbitration panel within the Department of Education appointed by the Governor of not less than twenty-four or more than twenty-nine persons to serve as provided The Governor shall appoint such panel, with the advice and consent of the General Assembly. Seven members shall be representative of the interests of local and regional boards of education and shall be selected from lists of names submitted by such boards. Seven members shall be representative of the interests of exclusive bargaining representatives of certified employees and shall be selected from lists of names submitted by such bargaining representatives; and (3) not less than ten or more than fifteen members shall be impartial representatives of the interests of the public in general and shall be residents of the state of Connecticut, experienced in public sector collective bargaining interest impasse resolution and selected from lists of names submitted by the State

Board of Education.

The Board has jurisdiction over state and local government

- **Delaware -**

1. Delaware Code Annotated Title 19, §§ 1301-1318 (Public Employment Relations Act):

The Delaware statute grants “public employees” the right of organization and representation and obligates “public employers” to enter into collective bargaining negotiations and to reduce to writing any agreements reached through such negotiations. Employees covered under this section excludes: (1) any person elected by popular vote or appointed to office by the Governor; (2) any person who is a prisoner or inmate or who is otherwise held in lawful custody by an agency of the State; (3) any person appointed to serve on a board or commission; (4) public school employees (who are entitled to bargain collectively under a separate section); (5) any police officers and firefighters (who are subject t to a separate subsection (Chapter 16 of this title); (6) Confidential employees and (7) Supervisory employees provided however, that any supervisory position in a bargaining unit deemed to be appropriate prior to September 23, 1994 shall so continue, unless said unit is decertified or is modified in accordance with procedures authorized by § 1310(e) of this title. Any bargaining unit designated as appropriate prior to September 23, 1994, for which an exclusive representative has been certified, shall so continue without the requirement of a review and possible re-designation until such time as a question concerning appropriateness is properly raised under this chapter. Employees covered under this Act includes county and city or town employees or any agency thereof, which either elects to come within the Act or which employs 100 or more full-time employees.

The Board consists of 3 members from the public appointed by the Governor for 6 year terms, subject to confirmation by the Senate. One member is designated by the Governor as Chair, Not more than 2 members of the Board shall be members of the same political party.

Every employee organization which has or seeks recognition as a representative of public employees under this chapter is required to file with the labor Board an annual registration report accompanied by 2 copies of the employee organization's constitution and bylaws noting any changes or amendments to such constitutions and bylaws.

2. Delaware Code Annotated Title 19, §§ 1601-1618 (Police Officers' and Firefighters' Employment Relations Act):

This section bring those police and firefighter employees not covered by Title

19, §§ 1301-1318, except elected officials or those appointed to serve on a board or commission, under the jurisdiction of the State's Labor Board.

3. Delaware Code Annotated Title 14, §§ 4001-4018 (Public School Employment Relations Act):

The Board has jurisdiction over school employees except administrators and confidential employees.

- **District of Columbia -**

1. District of Columbia Code Annotated (2001), § 1-617.01 *et seq.* (Labor-Management Relations):

All employees of the District except management supervisors and confidential employees may engage in collective bargaining over compensation and terms and conditions of employment. He evaluation process and instruments for evaluating District of Columbia Public Schools employees are expressly excluded from the scope of collective bargaining. Because of the unique political nature of the District of the Columbia local option is not applicable.

- **Florida -**

1. Florida Statutes, § 447.201 *et seq.* (Public Employees Act):

Article I Section 6 of the Florida Constitution provides: "The right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization. The right of employees, by and through a labor organization, to bargain collectively shall not be denied or abridged. Public employees shall not have the right to strike." In furtherance of that right § 447.201 grants to public employees the right of organization and representation, requires the state, local governments, and other political subdivisions to negotiate with bargaining agents duly certified to represent public employees and creates a Public Employees Relations Commission.

2. Florida Statutes, § 447.3075. (Law enforcement bargaining units):

Any state law enforcement agency that has 1,200 or more officers shall be in a bargaining unit that is separate from officers in other state law enforcement agencies.

3. Florida Statutes, § 447.603. (Local Option):

Any district school board or political subdivision, other than the state or a state public authority, may elect to adopt, by ordinance, resolution, or charter amendment, its own local option in lieu of the Public Employees Act this part, provided such provisions and procedures secure substantially equivalent rights and procedures as set forth in the Act. Members of local commissions

established pursuant to this section shall be appointed so that one appointee has been a representative of employers; one appointee has been a representative of employees or employee organizations; and all other appointees, including alternates, shall be persons who, are neither. The chair and all members of any such local commission shall be appointed for 4-year staggered terms. Neither the chair nor any member shall be employed by, or hold any commission with, any governmental unit in the state or any employee organization while serving in such office.

The state Labor Commission reviews and approves local provisions or procedures for substantial equivalence to the Act. If a local commission is not properly constituted, fails to act or respond to a filing of an employee organization or public employer or public employee within a reasonable and timely period, or acts in a manner clearly inconsistent with the precedent of the commission, the commission shall assume jurisdiction of the case, and the decision and findings of the commission in such case shall be binding upon the local commission, the public employer, and the employee organization or public employee.

In order to continuously secure substantially equivalent rights and procedures, the commission may require that any amendment to the Act be incorporated into the local option. The commission shall notify the local legislative body or the local commission of any such required amendment by certified mail, return receipt requested. The local legislative body or local commission shall have 60 days from the date of receipt of such notification from the commission within which to submit the required amendment. If the local legislative body or the local commission fails to submit the required amendment within the 60-day period, the commission may suspend the operation of the local commission until the required amendment is submitted. After 50 days of any such suspension, the commission may transfer to itself any cases or other matters pending before the local commission. No amendment or revision of any ordinance, resolution, charter amendment, rule, or regulation relating to a local option shall become effective without prior approval by the commission.

Additional local option information:

The state law grandfathers pre-existing local boards but does not permit any new local options. 1 county board and 4 municipal boards are functioning at this time.

- **Georgia -**

1. Georgia Code Annotated, [§ 25-5-3](#) (Firefighter's Mediation Act):

While there is nothing in Georgia statutes authorizing public employee bargaining on a statewide level the Firefighter's Mediation Act makes clear that Georgia's statutory prohibition against public employees engaging in or encouraging a strike or work stoppage ([§§45-19-1 et seq.](#)) shall not prohibit such municipal employees from being represented by a labor organization of their choice and from bargaining collectively concerning wages, rates of pay, and other terms and

conditions of employment. [§ 25-5-4](#) grants to municipal and county firefighters the right to bargain collectively and to be represented by a labor organization in such collective bargaining as to wages, rates of pay, hours, working conditions, and all other terms and conditions of employment.

Before a municipality with a population of 20,000 or more and its firefighters may come under this chapter, the governing authority of the municipality must agree by ordinance that the municipality will be so covered. In no case may a city with a population of less than 20,000 come under this chapter.

- **Hawaii -**

1. Hawaii Revised Statutes, [Chapter 89, § 89-1 et seq.](#) (Collective Bargaining in Public Employment):

By this statute the State recognizes the right of “public employees” to organize for the purpose of collective bargaining and requires public employers to negotiate with and enter into written agreements with exclusive representatives on matters of wages, hours, and other conditions of employment, while, at the same time, maintaining the merit principle pursuant to [Section 76-1](#). The statute also creates a labor relations board to administer its provisions. Public employees under the Act include State employees cities and counties and judicial employees, school district employees, employees of the University of Hawaii, the Hawaii health systems corporation. In the case of the judiciary, the administrative director of the courts shall be the employer in lieu of the chief justice for purposes which the chief justice determines would be prudent or necessary to avoid conflict.

- **Idaho -**

1. Idaho Code [§§ 33-1271 to 33-1276](#), (Teachers' bargaining rights):

The board of trustees of each school district, including specially chartered districts, or the designated representative(s) of such district, is hereby empowered to and shall, upon its own initiative or upon the request of a local education organization representing professional employees, enter into a negotiation agreement with the local education organization or the designated representative(s) of such organization and negotiate with such party in good faith on those matters specified in any such negotiation agreement between the local board of trustees and the local education organization.

2. Idaho Code [§§ 44-1801 to 44-1811](#), (Firefighters' bargaining rights):

The firefighters in any city, county, fire district or other political subdivision in the state of Idaho shall have the right to bargain collectively with their respective cities, counties, fire districts or political subdivisions and to be represented by a bargaining agent in such collective bargaining process as to wages, rates of pay,

working conditions and all other terms and conditions of employment.

- **Illinois -**

1. [5 Ill. Comp. Stat. Ann. 315/1 - 315/27](#), (Illinois Public Labor Relations Act):

Illinois grants all “public employees” the right to organize and to engage in collective bargaining over wages, hours and other conditions of employment or other mutual aid or protection. Illinois Supreme Court in the case of *AO/C v. Teamsters 726* ruled that the Illinois Public Labor Relations Board could not assert jurisdiction over the Illinois official certified court reporters because the Supreme Court is their co-employer together with the Chief Judges of each judicial circuit. This amendatory Act expressly states that the Illinois official certified court reporters are granted collective bargaining rights “as provided in this Act.”

The term “Public employee” or “employee”, for the purposes of the Act, means any individual employed by a public employer, including interns and residents at public hospitals employed after the Act but not before, personal care attendants and personal assistants working under the Home Services Program (ii) child and day care home providers employed after the Act but not before, and (iii) home care and home health workers who function as personal care attendants, personal assistants, and individual maintenance home health workers and employed after the Act but not before, but excluding all of the following: employees of the General Assembly of the State of Illinois; elected officials; executive heads of a department; members of boards or commissions; the Executive Inspectors General; any special Executive Inspectors General; employees of each Office of an Executive Inspector General; commissioners and employees of the Executive Ethics Commission; the Auditor General's Inspector General; employees of the Office of the Auditor General's Inspector General; the Legislative Inspector General; any special Legislative Inspectors General; employees of the Office of the Legislative Inspector General; commissioners and employees of the Legislative Ethics Commission; employees of any agency, board or commission created by this Act; employees appointed to State positions of a temporary or emergency nature; all employees of school districts and higher education institutions except firefighters and peace officers employed by a state university and except peace officers employed by a school district in its own police department in existence on the effective date of the Act; managerial employees; short-term employees; confidential employees; independent contractors; and supervisors except as provided below. All peace officers above the rank of captain in municipalities with more than 1,000,000 inhabitants are excluded.

Notwithstanding the exclusion of supervisors from bargaining units a public employer may agree to permit its supervisory employees to form bargaining units and may bargain with those units. This Act shall apply if the public employer chooses to bargain under this subsection.

The Act dissolved the pre-existing State Labor Board and established a new Board consisting of two panels: the State Panel and the Local Panel. Local Panels are authorized only for municipalities with a greater than 2 million population. Smaller municipalities use the State Panel.

2. [115 Ill. Comp. Stat. Ann. 5/1- 5/20](#), (Illinois Educational Labor Relations Act):

The Illinois General Assembly recognizes differences between educational employees and other public employees as a result of the uniqueness of the educational work calendar and educational work duties and the traditional and historical patterns of collective bargaining between educational employers and educational employees and that such differences demand statutory regulation of collective bargaining between educational employers and educational employees in a manner that recognizes these differences. The Act creates the Illinois Educational Labor Relations Board distinct from the State and Local panels. Pursuant to § 17.1, precedents established by other labor boards. Unless contradicted by administrative precedent previously established by the Board, all final decisions in representation and unfair labor practice cases decided by the State or Local Panel of the Illinois Labor Relations Board or their predecessors, the Illinois State Labor Relations Board and the Illinois Local Labor Relations Board previously created under the Illinois Public Labor Relations Act, which have not been reversed by subsequent court rulings shall be considered, but need not be followed, by the Board.

Additional local option information:

Illinois' state law has merged the few local boards into a separate statewide board (called the Local Panel) to govern the handful of local panels authorized by statute. Those include Chicago municipal and Cook County local boards, as well as separate local boards for some Chicago special districts such as the Chicago Transit Authority and the Chicago Housing Authority. No other local boards are authorized by law.

- **Indiana -**

Chapter [4-15-17-1](#) makes public employee collective bargaining illegal for all state employees but exempts from its prohibition state educational institutions ([IC 21-7-13-32](#)) and political subdivisions of the State ([IC 3-5-2-38](#)).

- **Iowa -**

1. Iowa Code §§ 20.1-20.26, (Public Employment Relations Act):

Iowa's statute established collective bargaining for all public employees of Iowa and its boards, commissions, agencies, departments, and its political subdivisions including school districts and other special purpose districts except as follows:

- a) Elected officials and persons appointed to fill vacancies in elective offices, and members of any board or commission.
 - b) Representatives of a public employer, including the administrative officer, director or chief executive officer of a public employer or major division thereof as well as the officer's or director's deputy, first assistant, and any supervisory employees. "Supervisory employee" means any individual having authority in the interest of the public employer to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other public employees, or the responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if, in connection with the foregoing, exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment. All school superintendents, assistant superintendents, principals and assistant principals shall be deemed to be supervisory employees.
 - c) Confidential employees.
 - d) Students working as part-time public employees twenty hours per week or less, except graduate or other postgraduate students in preparation for a profession who are engaged in academically related employment as a teaching, research, or service assistant.
 - e) Temporary public employees employed for a period of four months or less.
 - f) Commissioned and enlisted personnel of the Iowa National Guard.
 - g) Judicial officers and confidential, professional, or supervisory employees of the judicial branch.
 - h) Patients and inmates employed, sentenced or committed to any state or local institution.
 - i) Persons employed by the state department of justice, except non-supervisory employees of the consumer advocate division who are employed primarily for the purpose of performing technical analysis of non-legal issues.
 - j) Persons employed by the credit union division of the department of commerce.
 - k) Persons employed by the banking division of the department of commerce.
 - l) The appointee serving as the coordinator of the office of renewable fuels and co-products, as provided in [Section 159 A.3](#)
2. Child care providers: Executive Order No. 45 and Executive Order No. 46, 2006:

a) [Executive Order No. 45](#)

Orders the Iowa Department of Human Services Director or designee to meet and confer with the authorized representative of registered child development home providers to discuss issues of mutual concern, including training requirements, reimbursement rates, payment procedures, health and safety conditions and any other changes to current practices that would improve the

quality of programs.

b) [Executive Order No. 46](#)

Orders the Iowa Department of Human Services Director or designee to meet and confer with the authorized representative of non-registered child care home providers not otherwise covered by Executive Order No. 45 and who receive payment from the State of Iowa.

- **Kansas -**

1. Kansas Statutes Annotated, [§§ 75-4321 to 75-4337](#), (Public Employer-Employee Relations Act):

Collective bargaining rights are recognized for all public employees and a State Labor Board is established with jurisdiction over both state and local governments except public employers other than the state which have passed substantially equivalent procedures. Kansas Statutes Annotated [§75-4335](#).

2. Kansas Statutes Annotated, [§§ 72-5410 to 72-5437](#), (Teachers' bargaining rights):

The board of education of any school district may enter into a supplemental contract of employment with any employee of the district. As used in this section "supplemental contract" means a contract for services other than those services covered in the principal or primary contract of employment of such employee, and shall include but not be limited to such services as coaching, supervising, directing and assisting extra curricular activities, chaperoning, ticket taking, lunch room supervision and other similar and related activities. The provisions of article 54 of chapter 72 of Kansas Statutes Annotated which relate to the continuation of teacher contracts and to the due process procedure upon termination or non-renewal of a teacher's contract do not apply to any supplemental contract of employment entered into under this section.

3. [Executive Order 07- 21](#) on child care providers

AFSCME/CCPT is recognized as the exclusive majority representative of all registered, licensed, and group family day care homes for the purpose of developing a mutual written agreement regarding the following:

- a. Quality standards;
- b. Training, licensure and registration requirements;
- c. Reimbursement rates for subsidized care;
- d. Methods of payment for such reimbursement rates;
- e. Benefits;
- f. Health and safety conditions;
- g. The monitoring and evaluating of family child care providers;

- h. Fees; and
- i. Any other matters that would improve recruitment and retention of qualified family child care providers and the overall quality of child care programs in Kansas.

Additional local option information:

Although the statute authorizes local boards, there are none.

• **Kentucky –**

1. Kentucky Revised Statutes, [Ch. 345, § 345.010 et seq.](#) (Firefighters' bargaining rights):

The rights of police officers, firefighter personnel, firefighters, and corrections personnel of an urban-county government to form, join, or assist any labor organization, to bargain collectively through representatives of their own choosing on questions of wages, hours, and other conditions of employment free from interference, restraint, or coercion is recognized.

2. Kentucky Revised Statutes, [Ch. 78, § 78.470 et seq.](#) (County police bargaining rights):

In any county which has a population of 300,000 or more and, which has adopted the merit system, the county employees in the classified service as police may organize, form, join or participate in organizations in order to engage in lawful concerted activities for the purpose of collective bargaining or other mutual aid and protection, and to bargain collectively through representatives of their own free choice.

3. Kentucky Revised Statutes, [Ch. 67, § 67C.402](#) (Local police bargaining rights):

Police officers of a consolidated local government have the right to form, join, or assist any labor organization, to bargain collectively through representatives of their own choosing on questions of wages, hours, and other conditions of employment free from interference, restraint, or coercion.

4. Kentucky Revised Statutes, [Ch. 67, § 67A.6901 et seq.](#) (Urban-county corrections personnel, firefighters, police officers bargaining rights):

Police officers, firefighter personnel, firefighters, and corrections personnel of an urban-county government have the right of self-organization, to form, join, or assist any labor organization, to bargain collectively through representatives of their own choosing on questions of wages, hours, and other conditions of employment free from interference, restraint, or coercion.

5. Kentucky Revised Statutes, [Ch. 67, §70.262](#) (Collective bargaining for deputy sheriffs in merit system in county containing a consolidated local government or a city of first class):

In any county containing a consolidated local government or city of the first class that has adopted a merit system deputies subject to the merit system may organize, form, join, or participate in organizations in order to engage in lawful concerted activities for the purpose of collective bargaining or other mutual aid and protection, and to bargain collectively through a representative of their own free choice. The sheriff shall not be required to bargain over matters of inherent managerial policy.

- **Maine -**

1. Maine Revised Statutes Annotated, Title 26, §§ 961-974, (Municipal Public Employees Labor Relations Law):

Employees of any municipality or any subdivision of a municipality, any school, water, sewer, fire or other district; or the Maine Turnpike Authority, employees of the Maine Public Employees Retirement System, the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf; or any public school, or school district have the right to join, form and participate in the activities of organizations of their own choosing for the purposes of representation and collective bargaining.

2. Maine Revised Statutes Annotated, Title 26, §§ 979-979-Q (State Employee Labor Relations Act):

The right bargain collectively is extended to all the departments, agencies and commissions of the executive branch of the State of Maine. With respect to the legislative branch, the Legislative Council shall negotiate and administer collective bargaining agreements.

3. Maine Revised Statutes Annotated, Title 26, §§ 1021-1035 (University of Maine System Labor Relations Act):

The State recognizes the right of the University of Maine System employees, Maine Maritime Academy employees and community college employees to join labor organizations of their own choosing and to be represented by such organizations in collective bargaining for terms and conditions of employment.

4. Maine Revised Statutes Annotated, Title 26, §§ 1281-1294 (Judicial Employees Labor Relations Act):

The State recognizes the right of judicial employees to join labor organizations of their own choosing and to be represented by those organizations in collective bargaining for terms and conditions of employment.

- **Maryland -**

1. [Maryland Code Annotated, § 3-101 et seq.](#) (State employees collective bargaining law):

The Maryland statute extends bargaining rights to all employees of the principal departments within the Executive Branch of State government, the Maryland Insurance Administration, the State Department of Assessments and Taxation, the State Lottery Agency, the University System of Maryland, Morgan State University, St. Mary's College of Maryland, and Baltimore City Community College, the Comptroller, the Maryland Transportation Authority who are not police officers, the State Retirement Agency, the State Department of Education and all full-time Maryland Transportation Authority police officers at the rank of first sergeant and below.

Expressly exempted from coverage of the State employees collective bargaining law are employees of the Maryland Transit Administration, as that term is defined in [§ 7-601\(a\)\(2\)](#), elected officials, appointed officials provided for by the Maryland Constitution, special appointments in the State Personnel Management System; or directly appointed by the Governor, staff of the Governor or Lieutenant Governor, employees assigned to the Government House or the Governor's Office, an employee assigned to the Board or with access to records of the Board, employees in the executive service of the State Personnel Management System, the chief administrator of the a unit or a comparable position not otherwise excluded as a constitutional or elected office; or a deputy or assistant administrator of the unit or a comparable position. Also excluded are temporary or contractual employees, employees entitled to participate in collective bargaining under another law and;

With regard to employees of the University System of Maryland, Morgan State University, St. Mary's College of Maryland, or Baltimore City Community College, the law excludes the chief administrator or a comparable position, a deputy, associate, or assistant administrator or in a comparable position, members of the faculty, including a faculty librarian, student employees, including teaching assistants or a comparable position, fellows, or post doctoral interns, contingent, contractual, temporary, or emergency employees, contingent, contractual, or temporary employee whose position is funded through a research or service grant or contract, or through clinical revenues, and employees whose regular place of employment is outside the State of Maryland.

The law further exempts from its coverage any employee “whose participation in a labor organization would be contrary to the State's ethics laws”, any supervisory, managerial, or confidential employee of a unit of State government or State institution of higher education or as defined in regulations adopted.

2. [Maryland Code Annotated, §§ 6-401 - 6-411](#) (Teachers bargaining rights):

Public school employees may form, join, and participate in the activities of employee organizations of their own choice for the purpose of being represented on all matters that relate to salaries, wages, hours, and other working conditions. There may not be more than two units in a county and in Baltimore County, one of the two units shall consist of employees whose position requires an administrative and supervisory certificate and supervisory non-certificated employees. The second unit shall consist of all other public school employees unless otherwise exempt. Jurisdiction over matters related to this section is vested in the Public School Labor Relations Board established under Subtitle 8 of this title and distinct from the State Labor Relations Board.

3. [Maryland Code Annotated, §§ 6-501-6-510](#) (Non-certificated public school employees bargaining rights):

These sections bring non-certified school employees within the jurisdiction of the Public School Labor Relations Board.

4. [Maryland Code Annotated, §§16-301 et seq.](#) (Maryland-National Capital Park and Planning Commission employees):

Employees of the Maryland-National Capital Park and Planning Commission may form, join, and participate in the activities of employee organizations of their own choice for the purpose of being represented on all matters that relate to salaries, wages, hours, and other working conditions. Labor disputes are submitted to the Commission for referral to arbitration.

5. [Executive Order 01.01.2007.15](#) (Collective Negotiation by Independent Home Care Providers):

The State through the Governor designated appropriate representatives to meet and confer with the provider representative concerning the terms and conditions of the Medicaid personal care Program, the Medicaid Waiver for Older Adults, the Living at Home: Community Choices Waiver, and the In-Home Aide Service Program.

6. [Executive Order 01.01.2007.14](#) (Collective Negotiation by Family Child Care Providers):

The State through the Governor designated appropriate representatives to meet and confer with the provider representative concerning the terms and conditions of the State's Child care subsidy program known as the Purchase of Care Program.

- **Massachusetts -**

1. [Massachusetts Annotated Laws, Ch. 150E, §§ 1-15](#) (Public employee bargaining rights):

Collective bargaining rights are extended to public employees except elected officials, appointed officials, members of any board or commission, representatives of any public employer, including the heads, directors and executive and administrative officers of departments and agencies of any public employer, and other managerial employees or confidential employees, and members of the militia or national guard and employees of the commission, and officers and employees within the departments of the state secretary, state treasurer, state auditor and attorney general. The State Law designates appropriate bargaining units in the state police shall as being “all such uniformed members in titles below the rank of lieutenant.” For judicial employees the appropriate unit shall be a public safety professional unit composed of all probation officers and court officers, and a unit composed of all non-managerial or non-confidential staff and clerical personnel employed by the judiciary; provided that court officers in the superior court department for Suffolk and Middlesex counties shall be represented by such other bargaining units as they may elect. The appropriate bargaining unit in the case of employees of the state lottery commission shall be all employees below the rank of assistant director.

Employees subject to this law include not only the above-referenced commonwealth employees but also employees of any county, city, town, district, or other political subdivision, personal care attendants under [section 70 of chapter 118E](#), and home care workers under [section 71 of chapter 118E](#). The Commonwealth Board also has jurisdiction over private employers not subject to NLRA or Federal Railway Act.

- **Michigan -**

1. [Michigan Const. Art. XI](#):

State Police Troopers and Sergeants shall, through their elected representative designated by 50% of such troopers and sergeants, have the right to bargain collectively with their employer concerning conditions of their employment, compensation, hours, working conditions, retirement, pensions, and other aspects of employment except promotions which will be determined by competitive examination and performance on the basis of merit, efficiency and fitness; and they shall have the right 30 days after commencement of such bargaining to submit any unresolved disputes to binding arbitration for the resolution thereof the same as now provided by law for Public Police and Fire Departments.

2. [Michigan Compiled Laws Annotated, §§ 423.201 to 423.216](#), (Public Employment Relations Act):

Public employees may organize together or form, join, or assist in labor organizations; engage in lawful concerted activities for the purpose of collective negotiation or bargaining or other mutual aid and protection; or negotiate or bargain collectively with their public employers through representatives of their own free choice. The statute applies to all persons holding a position by appointment or employment in the government of the state, in the government of

the political subdivisions of this state, in the public school service, in a public or special district, in the service of an authority, commission, or board, or in any other branch of the public service. Graduate student research assistants and any individual whose position does not have sufficient indicia of an employer-employee relationship using the 20-factor test announced by the internal revenue service of the United States department of treasury in revenue ruling 87-41, [1987-1 C.B. 296](#) is not a public employee entitled to representation or collective bargaining rights under this act.

In any fire department, or any department in whole or part engaged in, or having the responsibility of, fire fighting, no person subordinate to a fire commission, fire commissioner, safety director, or other similar administrative agency or administrator, shall be deemed to be a supervisor. ([Michigan Compiled Laws Annotated, §§ 423.213.](#))

Collective bargaining between a public school employer and a bargaining representative of its employees shall not include any of the following subjects:

- (a) Who is or will be the policyholder of an employee group insurance benefit.
- (b) Establishment of the starting day for the school year and of the amount of pupil contact time required to receive full state school aid.
- (c) The composition of school improvement committees.
- (d) The decision of whether or not to provide or allow inter-district or intra-district open enrollment opportunity in a school district or the selection of grade levels or schools in which to allow an open enrollment opportunity.
- (e) The decision of whether or not to act as an authorizing body to grant a contract to organize and operate 1 or more public school academies.
- (f) The decision of whether or not to contract with a third party for 1 or more non-instructional support services; or the procedures for obtaining the contract for non-instructional support services other than bidding described in this subdivision; or the identity of the third party; or the impact of the contract for non-instructional support services on individual employees or the bargaining unit. However, this subdivision applies only if the bargaining unit that is providing the non-instructional support services is given an opportunity to bid on the contract for the non-instructional support services on an equal basis as other bidders.
- (g) The use of volunteers in providing services at its schools.
- (h) Decisions concerning use and staffing of experimental or pilot programs and decisions concerning use of technology to deliver educational programs and services and staffing to provide that technology, or the impact of those decisions on individual employees or the bargaining unit.
- (i) Any compensation or additional work assignment intended to reimburse an employee for or allow an employee to recover any monetary penalty imposed under this act.
- (j) Any decision made by the public school employer regarding teacher placement, or the impact of that decision on an individual employee or the bargaining unit.

(k) Decisions about the development, content, standards, procedures, adoption, and implementation of the public school employer's policies regarding personnel decisions when conducting a staffing or program reduction or any other personnel determination resulting in the elimination of a position, when conducting a recall from a staffing or program reduction or any other personnel determination resulting in the elimination of a position, or in hiring after a staffing or program reduction or any other personnel determination resulting in the elimination of a position, as provided under section 1248 of the revised school code, 1976 PA 451, MCL 380.1248, any decision made by the public school employer pursuant to those policies, or the impact of those decisions on an individual employee or the bargaining unit.

(l) Decisions about the development, content, standards, procedures, adoption, and implementation of a public school employer's performance evaluation system or decisions concerning the content of a performance evaluation of an employee under those provisions of law, or the impact of those decisions on an individual employee or the bargaining unit.

(m) Decisions about the development, content, standards, procedures, adoption, and implementation of a policy regarding discharge or discipline of an employee, decisions concerning the discharge or discipline of an individual employee, or the impact of those decisions on an individual employee or the bargaining unit. A public school employer shall not adopt, implement, or maintain a policy for discharge or discipline of an employee that includes a standard for discharge or discipline that is different than the arbitrary and capricious standard provided under section 1 of article IV of 1937 (Ex Sess) PA 4, [MCL 38.101](#).

(n) Decisions about the format, timing, or number of classroom observations conducted for the purposes of section 3a of article II of 1937 (Ex Sess) PA 4, [MCL 38.83a](#), decisions concerning the classroom observation of an individual employee, or the impact of those decisions on an individual employee or the bargaining unit.

(o) Decisions about the development, content, standards, procedures, adoption, and implementation of the method of compensation required under section 1250 of the revised school code, 1976 PA 451, [MCL 380.1250](#), decisions about how an employee performance evaluation is used to determine performance-based compensation under section 1250 of the revised school code, 1976 PA 451, [MCL 380.1250](#), decisions concerning the performance-based compensation of an individual employee, or the impact of those decisions on an individual employee or the bargaining unit.

(p) Decisions about the development, format, content, and procedures of the notification to parents and legal guardians required under section 1249a of the revised school code, 1976 PA 451, [MCL 380.1249a](#).

3. [Michigan Compiled Laws Annotated. §§ 423.231 to 423.246](#), (Police and Firefighters Collective Bargaining):

Collective Bargaining rights are extended to any employee of a city, county, village, or township, or of any authority, district, board who is engaged as a police

officer, or in fire fighting or subject to the hazards thereof; emergency medical service personnel employed by a public police or fire department; or an emergency telephone operator, but only if directly employed by a public police or fire department.

- **Minnesota –**

1. [Minnesota Statutes Annotated Ch. 175-189](#) (Public Employment Labor Relations):

Collective Bargaining rights have been extended to employees of the state, political subdivisions including the judiciary. Supervisory or confidential employee organizations shall not participate in any capacity in any negotiations which involve units of employees other than supervisory or confidential employees. Except for organizations which represent supervisors who are: (1) firefighters, emergency medical service employees certified under [section 144E.28](#), 911 system public safety dispatchers, peace officers subject to licensure under [sections 626.84](#) to [626.863](#), guards at correctional facilities, or employees at hospitals other than state hospitals; and (2) not state or University of Minnesota employees, a supervisory or confidential employee organization which is affiliated with another employee organization which is the exclusive representative of nonsupervisory or non-confidential employees of the same public employer shall not be certified, or act as, an exclusive representative for the supervisory or confidential employees. For the purpose of this subdivision, affiliation means either direct or indirect and includes affiliation through a federation or joint body of employee organizations.

- **Missouri -**

2. [Missouri. Revised Statutes §§ 105.500 - 105.530](#), (Public employee bargaining rights):

Employees of any agency, department, bureau, division, board or commission of the state, or any other political subdivision of or within the state, except police, deputy sheriffs, Missouri state highway patrolmen, Missouri National Guard. All teachers of all Missouri schools, colleges and universities, of any public body shall have the right to form and join labor organizations and to present proposals to any public body relative to salaries and other conditions of employment through the representative of their own choosing. No such employee shall be discharged or discriminated against because of his exercise of such right, nor shall any person or group of persons, directly or indirectly, by intimidation or coercion, compel or attempt to compel any such employee to join or refrain from joining a labor organization, except that the above excepted employees have the right to form benevolent, social, or fraternal associations. Membership in such associations may not be restricted on the basis of race, creed, color, religion or ancestry.

Issues with respect to appropriateness of bargaining units and majority

representative status shall be resolved by the state board of mediation. In the event that the appropriate administrative body or any of the bargaining units shall be aggrieved by the decision of the state board of mediation, an appeal may be had to the circuit court of the county where the administrative body is located or in the circuit court of Cole County. The state board of mediation shall use the services of the state hearing officer in all contested cases.

- **Montana -**

1. [Montana Code Annotated §§ 39-31-101 to 39-31-409](#), (Collective Bargaining for Public Employees):

Employees of the state of Montana or any political subdivision thereof, including but not limited to any town, city, county, district, school board, board of regents, public and quasi-public corporation, housing authority or other authority may form, join, or assist any labor organization, to bargain collectively through representatives of their own choosing on questions of wages, hours, fringe benefits, and other conditions of employment, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection free from interference, restraint, or coercion. The Montana board of personnel appeals is empowered to enforce this section. Nothing in this chapter shall be construed to remove recognition of established collective bargaining agreements already recognized or in existence prior to July 1, 1973.

2. [Montana Code Annotated. §§ 39-32-101 to 39-32-114](#), (Collective Bargaining for Nurses):

Collective bargaining rights are extended to registered professional or licensed practical nurses but do not include a member of a religious order assigned to a health care facility by the order as a part of the member's obligation to the order.

3. [Montana Code Annotated. §§ 39-34-101 - 39-34-106](#) (Arbitration between firefighters and public employers):

If an impasse is reached in the course of collective bargaining between a public employer and a firefighters' organization or its exclusive representative and if the procedures for mediation and fact-finding in [39-31-307](#) through [39-31-310](#) have been exhausted, either party or both jointly may petition the board of personnel appeals for final and binding arbitration.

Additional local option information:

Although the state statute “grandfathers” pre-existing boards, none remain in existence.

- **Nebraska -**

1. [Revised Statutes of Nebraska Annotated Ch. 81, § 81-1369 et seq.](#) (State Employee Collective Bargaining Act):

For the purpose of implementing the state employees' right to organize for the purpose of collective bargaining, there are hereby created twelve bargaining units for all state agencies except the University of Nebraska, the Nebraska state colleges, and other constitutional offices. The units shall consist of state employees whose job classifications are occupationally and functionally related and who share a community of interest. The bargaining units shall be:

- (a) Maintenance, Trades, and Technical, which unit is composed of generally recognized blue collar and technical classes, including highway maintenance workers, carpenters, plumbers, electricians, print shop workers, auto mechanics, engineering aides and associates, and similar classes;
- (b) Administrative Support, which unit is composed of clerical and administrative nonprofessional classes, including typists, secretaries, accounting clerks, computer operators, office service personnel, and similar classes;
- (c) Health and Human Care Nonprofessional, which unit is composed of institutional care classes, including nursing aides, psychiatric aides, therapy aides, and similar classes;
- (d) Social Services and Counseling, which unit is composed of generally professional-level workers providing services and benefits to eligible persons. Classes shall include job service personnel, income maintenance personnel, social workers, counselors, and similar classes;
- (e) Administrative Professional, which unit is composed of professional employees with general business responsibilities, including accountants, buyers, personnel specialists, data processing personnel, and similar classes;
- (f) Protective Service, which unit is composed of institutional security personnel, including correctional officers, building security guards, and similar classes;
- (g) Law Enforcement, which unit is composed of employees holding powers of arrest, including Nebraska State Patrol officers and sergeants, conservation officers, fire marshal personnel, and similar classes. Sergeants, investigators, and patrol officers employed by the Nebraska State Patrol as authorized in [section 81-2004](#) shall be presumed to have a community of interest with each other and shall

be included in this bargaining unit notwithstanding any other provision of law which may allow for the contrary;

- (h) Health and Human Care Professional, which unit is composed of community health, nutrition, and health service professional employees, including nurses, doctors, psychologists, pharmacists, dietitians, licensed therapists, and similar classes;
- (i) Examining, Inspection, and Licensing, which unit is composed of employees empowered to review certain public and business activities, including driver-licensing personnel, revenue agents, bank and insurance examiners who remain in the State Personnel System under [sections 8-105](#) and [44-119](#), various public health and protection inspectors, and similar classes;
- (j) Engineering, Science, and Resources, which unit is composed of specialized professional scientific occupations, including civil and other engineers, architects, chemists, geologists and surveyors, and similar classes;
- (k) Teachers, which unit is composed of employees required to be licensed or certified as a teacher; and
- (l) Supervisory, which unit is composed of employees who are supervisors as defined in [section 48-801](#).

All employees who are excluded from bargaining units pursuant to the Industrial Relations Act, all employees of the personnel division of the Department of Administrative Services, and all employees of the Division of Employee Relations of the Department of Administrative Services shall be excluded from any bargaining unit of state employees.

(2) Any employee organization, including one which represents other state employees, may be certified or recognized as provided in the Industrial Relations Act as the exclusive collective-bargaining agent for a supervisory unit, except that such unit shall not have full collective-bargaining rights but shall be afforded only meet-and-confer rights.

(3) It is the intent of the Legislature that professional and managerial employee classifications and office and service employee classifications be grouped in broad occupational units for the University of Nebraska and the Nebraska state colleges established on a university-wide or college-system-wide basis, including all campuses within the system. Any unit entirely composed of supervisory employees of the University of Nebraska or the Nebraska state colleges shall be afforded only meet-and-confer rights. The bargaining units for academic, faculty, and teaching employees of the University of Nebraska and the Nebraska state

colleges shall continue as they existed on April 9, 1987, plus the addition of Kearney State College, and any adjustments thereto or new units therefor shall continue to be determined pursuant to the Industrial Relations Act.

(4) Other constitutional offices shall continue to subscribe to the procedures for unit determination in the Industrial Relations Act, except that the commission is further directed to determine the bargaining units in such manner as to (a) reduce the effect of over-fragmentation of bargaining units on the efficiency of administration and operations of the constitutional office and (b) be consistent with the administrative structure of the constitutional office. Any unit entirely composed of supervisory employees of a constitutional office shall be afforded only meet-and-confer rights.

The Act creates the Division of Employee Relations to be headed by the Chief Negotiator who shall be appointed by, serve at the pleasure of, and represent the Governor. The Director of Administrative Services may serve as the Chief Negotiator. The division shall be responsible for negotiating and administering all labor contracts entered into by the State of Nebraska, except that the division shall not be responsible for contracts entered into by constitutional offices, the Board of Trustees of the Nebraska State Colleges, and the Board of Regents of the University of Nebraska. [§ 81-1376](#).

2. [Revised Statutes of Nebraska Annotated Ch. 48, § 48-801 et seq.](#), (Industrial Relations Act): Labor and Industrial Commission has jurisdiction over state and local government, and public utilities.

- **Nevada -**

1. [Nevada Revised Statutes Annotated §§ 288.010-288.280](#). (Local Government Employee-Management Relations Act):

The Local Government Employee-Management Relations Board is created, consisting of three members, broadly representative of the public and not closely allied with any employee organization or local government employer, not more than two of whom may be members of the same political party. The Governor shall appoint the members of the Board. The Board has jurisdiction only over local governments; No State employee bargaining is permitted.

- **New Hampshire -**

1. [New Hampshire Revised Statutes Annotated §§ 273-A.1 to 273-A.17](#), (Public Employee Labor Relations):

The statutes creates a public employee labor relations board to oversee public employee bargaining a both the state and local level consisting of 5 members, appointed by the governor and council. Two members shall be appointed who shall have extensive experience representing organized labor. Two members

shall be appointed who shall have extensive experience in representing management interests. One member, who shall be the chairman, shall be appointed to represent the public at large. Members of the board may be removed by the governor and council for cause.

The Public Employee Relations Act is applicable to employees of the state and any political subdivision thereof, the judicial branch of the state, any quasi-public corporation, council, commission, agency or authority, and the state university system.

2. [New Hampshire Revised Statutes Annotated §§ 273-C.1 to 273-C.14.](#)
(Dog and Horse Racing Employees):

Dog and horse racing track employees are brought under the jurisdiction of the public employee labor relations board.

- **New Jersey -**

1. [New Jersey Statutes Annotated §§ 34:13A-1 to 34:13A-13](#) (New Jersey Employer-Employee Relations Act):

The Act creates within the Department of Labor and Industry the New Jersey State Board of Mediation. The membership of such board shall consist of seven persons to be appointed by the Governor, by and with the advice and consent of the Senate. Of such members, two shall be representative of employees, two shall be representative of employers and three shall be representative of the public. Of the members first appointed, one shall be appointed for a term of 1 year; two for a term of 2 years and two for a term of 3 years. Of the two additional members provided for by this amendment, the original appointees shall hold office for 2 years. Their successors shall be appointed for terms of 3 years. The chairman of the board shall be a member who shall have been designated a representative of the public and who shall be named as chairman by the Governor: the chairman so named shall serve as chairman during his term as a member of the board.

The Act further establishes a Division of Public Employment Relations and a Division of Private Employment Dispute Settlement. The Division of Public Employment Relations is concerned exclusively with matters of public employment related to determining negotiating units, elections, certifications and settlement of public employee representative and public employer disputes and grievance procedures.

In summary, the New Jersey Board has jurisdiction over state and local government, school districts, charter schools, public colleges and universities, and autonomous agencies; but any local government may opt-out by creating its own provisions.

2. [New Jersey Statutes Annotated §§ 34:13A-14 to 34:13A-21](#).(Police and Fire Public Interest Arbitration Reform Act):

Whenever Police or Fire negotiations reach an impasse, the commission, through the Division of Public Employment Relations shall, upon the request of either party, or upon its own motion take such steps, including the assignment of a mediator, as it may deem expedient to affect a voluntary resolution of the impasse. In the event of a failure to resolve the impasse by mediation, the Division of Public Employment Relations, at the request of either party, shall invoke fact-finding with recommendation for settlement of all issues in dispute unless the parties reach a voluntary settlement prior to the issuance of the fact finder's report and recommended terms of settlement. Fact findings shall be limited to those issues that are within the required scope of negotiations unless the parties to the fact-finding agree to fact-finding on permissive subjects of negotiation.

The resolution of issues in dispute shall be binding arbitration under which the award on the unsettled issues is determined by conventional arbitration. The arbitrator shall determine whether the total net annual economic changes for each year of the agreement are reasonable under the nine statutory criteria set forth in subsection g. of this section and shall adhere to the limitations set forth in section 2 of [P.L.2010, c. 105 \(C.34:13A-16.7\)](#). The non-petitioning party, within five days of receipt of the petition, shall separately notify the commission in writing of all issues in dispute. The filing of the written response shall not delay, in any manner, the interest arbitration process.

Additional local option information:

Although a local government may opt-out of the state's public employee bargaining act by creating its own provisions, there are no local boards in existence.

- **New Mexico -**

1. [New Mexico Statutes Annotated §§ 10-7E-1 to 10-7E-26](#) (Public Employee Bargaining Act):

Regular non-probationary employees of the state or a political subdivision thereof, including a municipality that has adopted a home rule charter and state educational institutions, other than management employees and confidential employees, may form, join or assist a labor organization for the purpose of collective bargaining through representatives chosen by public employees without interference, restraint or coercion and shall have the right to refuse any such activities.

The Public Employee Labor Relations Board is established to enforce provisions of the Public Employee Bargaining Act "through the imposition of appropriate administrative remedies." The board consists of three members

appointed by the governor; one recommended by organized labor representatives actively involved in representing public employees, another recommended by public employers actively involved in collective bargaining and the third jointly recommended by the other two appointees.

With regard to the local option question, the New Mexico Statute provides that a public employer other than the state that prior to October 1, 1991 adopted by ordinance, resolution or charter amendment, collective bargaining procedures for its employees may continue to operate under those procedures. However, any substantial change made to those procedures after January 1, 2003 shall subject the public employer to full compliance with the provisions of Sections 8 through 12 (regarding establishment of a board and hearing procedures), Subsection D of Section 17 (scope of bargaining for public schools) and Section 26 (B) of the Act (local ordinances or resolutions enacted after October 1, 1991).

A public employer other than the state that subsequent to October 1, 1991 adopts by

ordinance, resolution or charter amendment a system of provisions and procedures for public employee collective bargaining may operate under those procedures rather than those set forth in the Act provided that the employer shall comply with the provisions of Sections 8 through 12 and Subsection D of Section 17 provided the following provisions and procedures are included in each ordinance, resolution or charter amendment:

- (1) the right of public employees to form, join or assist employee organizations for the purpose of achieving collective bargaining;
- (2) procedures for the identification of appropriate bargaining units, certification elections and decertification elections equivalent to those set forth in the Public Employee Bargaining Act;
- (3) the right of a labor organization to be certified as an exclusive representative;
- (4) the right of an exclusive representative to negotiate all wages, hours and other terms and conditions of employment for public employees in the appropriate bargaining unit;
- (5) the obligation to incorporate agreements reached by the public employer and the exclusive representative into a collective bargaining agreement;
- (6) a requirement that grievance procedures culminating with binding arbitration be negotiated;
- (7) a requirement that payroll deductions for the exclusive representative's membership dues be negotiated if requested by the exclusive representative;
- (8) impasse resolution procedures equivalent to those set forth in Section 18 [10-7E-18 NMSA 1978] of the Public Employee Bargaining Act; and

- (9) prohibited practices for the public employer, public employees and labor organizations that promote the principles established in Sections 19 through 21 of the Public Employee Bargaining Act.

- **New York -**

1. **New York Civil Service Law §§ 200-214** (Public Employees' Fair Employment Act – “Taylor Act”)

Public employees holding a position by appointment or employment (i) the state of New York, (ii) a county, city, town, village or any other political subdivision or civil division of the state, (iii) a school district or any governmental entity operating a public school, college or university, (iv) a public improvement or special district, (v) a public authority, commission, or public benefit corporation, (vi) any other public corporation, agency or instrumentality or unit of government which exercises governmental powers under the laws of the state, or (vii) in the case of a county sheriff's office in those counties where the office of sheriff is an elected position, both the county and the sheriff, shall be designated as a joint public employer. Judges and justices of the unified court system, persons holding positions by appointment or employment in the organized militia of the state and persons who may reasonably be designated from time to time as managerial or confidential may be exempted from coverage of the Act. Employees may be designated as managerial only if they are persons (i) who formulate policy or (ii) who may reasonably be required on behalf of the public employer to assist directly in the preparation for and conduct of collective negotiations or to have a major role in the administration of agreements or in personnel administration provided that such role is not of a routine or clerical nature and requires the exercise of independent judgment. Employees may be designated as confidential only if they are persons who assist and act in a confidential capacity to managerial employees. Assistant attorneys general, assistant district attorneys, and law school graduates employed in titles which promote to assistant district attorney upon admission to the bar of the state of New York are designated managerial employees, and confidential investigators employed in the department of law are designated confidential employees. In a city of one million or more inhabitants, members in the rank of deputy chief designated as deputy assistant chief and higher shall be designated as managerial and confidential employees and members in the rank of deputy chief or lower shall not be so designated.

The Taylor Act creates the public employment relations board, consisting of three members appointed by the governor, by and with the advice and consent of the senate from persons representative of the public. Not more than two members of the board shall be members of the same political party. Each member shall be appointed for a term of six years. The governor shall designate one member who shall serve as chairperson of the board until the expiration of his or her term.

The Taylor Act is inapplicable to local government which has adopted by local law, ordinance or resolution, its own provisions and procedures provided that those procedures have been submitted to the board for a determination that such

provisions and procedures are substantially equivalent to the provisions and procedures set forth in the Act with respect to the state.

Additional local option information:

In addition to the separate New York City board recognized under the Taylor Act there were as many as 20-30 local boards in existence at one time under the present structure. However, as of this month, all but one have petitioned for and been granted dissolution by the state board. Therefore, only one local government (other than New York City) continues to operate under a local option.

- **North Dakota -**

1. [North Dakota Century Code Title 34, Chap. 34-11.1](#) (Public Employee Relations Act):

No person, whether employed, appointed, or under contract, providing services for the state, county, city, or other political subdivision, for which compensation is paid may be denied the right to be a member of an organization of employees or be intimidated or coerced in a decision to communicate or affiliate with an organization. Public employees have the right to request payroll deduction of dues for membership in an organization of employees. Under this statute public employees are permitted to *organize*; however, there is no duty imposed on the public employers to *bargain*.

- **Ohio -**

1. [Ohio Revised Code Annotated §§ 4117.01-4117.23](#) (Public Employees' Collective Bargaining):

Public employees (defined as “State and local government employees including employees of any county or municipal corporation with a population of at least five thousand; school districts; college preparatory boarding schools state institutions of higher learning; public or special districts; state agencies, authorities, commissions, or boards”) have the right to form, join, assist, or participate in, or refrain from forming, joining, assisting, or participating in any employee organization of their own choosing; engage in other concerted activities for the purpose of collective bargaining or other mutual aid and protection; representation by an employee organization; Bargain collectively with their public employers to determine wages, hours, terms and other conditions of employment and the continuation, modification, or deletion of an existing provision of a collective bargaining agreement, and enter into collective bargaining agreements; present grievances and have them adjusted, without the intervention of the bargaining representative, as long as the adjustment is not inconsistent with the terms of the collective bargaining agreement then in effect and as long as the bargaining representatives have the opportunity to be present at the adjustment.

The statute creates the state employment relations board, consisting of three members to be appointed by the governor with the advice and consent of the senate. Members shall be knowledgeable about labor relations or personnel practices. No more than two of the three members shall belong to the same political party. The governor may remove any member of the state employment relations board, upon notice and public hearing, for neglect of duty or malfeasance in office, but for no other cause. The governor designates one member of the state employment relations board to serve as chairperson of the state employment relations board. The chairperson is the head of the state employment relations board and its chief executive officer.

- **Oklahoma -**

1. [Oklahoma Statutes Annotated, Title 70, Ch. 70, §§ 509.1 - 509.10](#) (Oklahoma School employees):

The board of education shall recognize an employee organization designated by an election of the employees in an appropriate bargaining unit as the exclusive representative of all the employees in such unit.

2. [Oklahoma Statutes Annotated, Title 70, Ch. 70, §§ 51-101 51-113](#) (Public policy of fire and police arbitration law):

Fire fighters and police officers in any municipality shall have the separate right to bargain collectively with their municipality and to be represented by a bargaining agent in such collective bargaining with respect to wages, salaries, hours, rates of pay, grievances, working conditions and all other terms and conditions of employment. There is also created the Public Employees Relations Board, composed of three (3) members appointed by the Governor, one of whom shall be designated as Chairman.

Additional local option information:

While the Oklahoma statute does not expressly authorize a local option and does not authorize collective bargaining for state employees, it does provide for educational, police and firefighter collective bargaining at the local level and establishes a state board for oversight. There are no local boards existing.

- **Oregon -**

1. [Oregon Revised Statutes § 243.650 et seq.](#) (Public Employee Collective Bargaining Act):

Public employees have the right to form, join and participate in the activities of labor organizations of their own choosing for the purpose of representation and collective bargaining with their public employer on matters concerning employment relations.

The State Board has jurisdiction over both employees of the State of Oregon, and the following political subdivisions: Cities, counties, community colleges, school districts, special districts, mass transit districts, metropolitan service districts, public service corporations or municipal corporations and public and quasi-public corporations.

Additional local option information:

While the Oregon statute does not expressly authorize a local option it provides for state board oversight of both state employees' and local government collective bargaining.

• **Pennsylvania -**

1. [Pennsylvania Statutes Annotated, Title 43, §§ 1101.101 - 1101.2301](#) (Public Employee Relations Act):

Pennsylvania grants to public employees the right to organize and choose freely their representatives and requires public employers to negotiate and bargain with employees' those representatives and to enter into written agreements evidencing the result of such bargaining. The parties to the collective bargaining process shall not effect or implement a provision in a collective bargaining agreement if the implementation of that provision would be in violation of, or inconsistent with, or in conflict with any statute or statutes enacted by the General Assembly of the Commonwealth of Pennsylvania or the provisions of municipal home rule charters.

Pre-existing collective bargaining right found in the following Acts are not repealed or diminished by the Public Employee Relations Act:

(1) The "Metropolitan Transportation Authorities Act of 1963."

(2) The act of November 27, 1967 (P.L. 628), entitled "An act protecting the rights of employees of existing transportation systems which are acquired by cities of the third class or any authority thereof or certain joint authorities; requiring cities of the third class or any authority thereof or any such joint authority to enter into contracts with labor organizations acting for such employees, and providing for arbitration in case of disputes."

(3) Section 13.2 of the act of April 6, 1956 (P.L. 1414), known as the "Second Class County Port Authority Act."

This act shall not be construed to repeal the act of June 24, 1968 (Act No. 111), entitled "An act specifically authorizing collective bargaining between policemen and firemen and their public employers; providing for arbitration in order to settle disputes, and requiring compliance with collective bargaining agreements and findings of arbitrators."

Pursuant to [§ 1101.2003](#) of the Act provisions of an ordinance of the City of Philadelphia approved April 4, 1961, entitled “An Ordinance to authorize the Mayor to enter into an agreement with District Council 33, American Federation of State, County and Municipal Employees, A.F.L.-C.I.O., Philadelphia and vicinity regarding its representation of certain City Employees,” which are inconsistent with the provisions of this act shall remain in full force and effect so long as the present provisions of that ordinance are valid and operative.

The Act also creates the Pennsylvania Labor Relations Board to execute the provisions of the Act. The 3 members of the Board are appointed by the Governor.

2. [Pennsylvania Statutes Annotated, Title 43, §§ 217.1-217.10](#) (Police and firefighters):

Policemen or firemen employed by a political subdivision of the Commonwealth or by the Commonwealth shall, through labor organizations or other representatives designated by fifty percent or more of such policemen or firemen, have the right to bargain collectively with their public employers concerning the terms and conditions of their employment, including compensation, hours, working conditions, retirement, pensions and other benefits, and shall have the right to an adjustment or settlement of their grievances or disputes in accordance with the terms of this act.

- **Rhode Island -**

1. [Rhode Island General Laws, § 36-11-1 et seq.](#) (Organization of State Employees):

State employees, except for casual employees or seasonal employees, shall have the right to organize and designate representatives of their own choosing for the purpose of collective bargaining with respect to wages, hours, and other conditions of employment. State employees, as used in this chapter, shall include employees and members of the department of state police below the rank of lieutenant.

2. [Rhode Island General Laws § 28-9.7-2.](#) (“Correctional Officers Arbitration Act):

Full-time correctional officers are prohibited to strike or engage in any work stoppage or slowdown. This prohibition does not, however, require the denial of other well recognized rights of labor, such as the right to organize, to be represented by an organization of their choice, and the right to bargain collectively concerning wages, rates of pay, and other terms and conditions of employment.

3. [Rhode Island General Laws § 28-9.6-2.](#) (911 Employees Arbitration Act):

Full-time 911 employees are prohibited to strike or engage in any work stoppage or slowdown. This prohibition does not, however, require the denial of other well recognized rights of labor, such as the right to organize, to be represented by an organization of their choice, and the right to bargain collectively concerning wages, rates of pay, and other terms and conditions of employment.

4. [Rhode Island General Laws § 28-9.5-1](#) (State Police Arbitration Act):

State Police Officers Full-time 911 employees are prohibited to strike or engage in any work stoppage or slowdown. This prohibition does not, however, require the denial of other well recognized rights of labor, such as the right to organize, to be represented by an organization of their choice, and the right to bargain collectively concerning wages, rates of pay, and other terms and conditions of employment.

5. [Rhode Island General Laws, § 28-9-1 et seq.](#) (Arbitration of Labor Controversies):

Pursuant to § 28-9.3-6 the state labor relations board is established to prescribe the method of petitioning for an election, the manner, place, and time of conducting the election, and shall supervise all elections to insure against interference, restraint, discrimination, or coercion from any source. Complaints of interference, restraint, discrimination, or coercion shall be heard and dealt with by the labor relations board as provided in chapter 7 of this title. The services of the state director of labor and training and his or her conciliators shall be available to municipal employers and employee organizations for purposes of conciliation of grievances or contract disputes; provided, that nothing in this section prevents the use of the arbitration procedures and arbitration tribunals provided for in §§ [28-9.4-10](#) - [28-9.4-15](#). All contract disputes are submitted first to mediation then arbitration.

• **South Dakota -**

1. [South Dakota Codified Laws §§ 3-18-1 to 3-18-17](#) (Public Employees' Unions):

The right to organize and bargain collectively is extended to any person holding a position by appointment or employment in the government of the State of South Dakota or in the government of any one or more of the political subdivisions thereof, or in the service of the public schools, or in the service of any authority, commission, or board, or any other branch of the public service. Excepted from this provision are:

- a. Elected officials and persons appointed to fill vacancies in elective offices and members of any board or commission;
- b. Administrators except elementary and secondary school administrators, administrative officers, directors, or chief executive officers of a public

employer or major divisions thereof as well as chief deputies, first assistants, and any other public employees having authority in the interest of the public employer to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other public employees, or the responsibility to direct them, or to adjust their grievances, or to effectively recommend such action, if in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment;

- c. Students working as part-time employees twenty hours per week or less;
- d. Temporary public employees employed for a period of four months or less;
- e. Commissioned and enlisted personnel of the South Dakota National Guard;
- f. Judges and employees of the unified court system;
- g. Legislators and the full-time and part-time employees of the legislature or any state agency that statutorily is directed by the legislative branch.

The Department of Labor and Regulation shall promulgate rules pursuant to chapter 1-26 to adopt a standard grievance procedure to carry out the provisions of [§ 3-18-15.1](#).

- **Tennessee -**

1. [Tennessee Code Annotated, §§ 49-5-601 to 49-5-61](#) (Education Professional Negotiations Act):

The Act recognizes the rights of public school employees to form, join and assist professional employees' organizations, such rights to include meeting, consulting and conferencing with boards of education in order to discuss matters relating to specific terms and conditions of professional service. Furthermore, in order to foster trust and mutual respect among the parties, and to provide an open and collaborative problem-solving approach to such conferencing, it is the purpose and policy of this part to recognize and adopt the principles and techniques known as interest-based collaborative problem-solving for use in conferences conducted pursuant to this part. Training in the principles and techniques of interest-based collaborative problem-solving for use in collaborative conferencing is mandated.

(a) A local board of education shall be required to participate in collaborative conferencing with professional employees, or their designated representatives, if any, with respect to only those terms and conditions of employment that are specified in this section. Such terms and conditions include and are limited to the following:

- (1) Salaries or wages;
- (2) Grievance procedures;

(3) Insurance;

(4) Fringe benefits, but not to include pensions or retirement programs of the Tennessee consolidated retirement system or locally authorized early retirement incentives;

(5) Working conditions; except those working conditions which are prescribed by federal law, state law, private act, municipal charter or rules and regulations of the state board of education, the department of education or any other department or agency of state or local government;

(6) Leave; and

(7) Payroll deductions; except as provided in subsection (b).

(b) No other terms or conditions of employment shall be the subject of collaborative conferencing between the board of education and the professional employees or their representatives and no collaborative conferencing shall be conducted on the following subjects:

(1) Differentiated pay plans and other incentive compensation programs including stipends and associated benefits that are based on professional employee performance that exceeds expectations, or that aid in hiring and retaining highly qualified teachers for hard-to-staff schools and subject areas;

(2) Expenditure of grants or awards from federal, state or local governments and foundations or other private organizations that are expressly designated for specific purposes;

(3) Evaluation of professional employees pursuant to federal or state law or state board of education policy;

(4) Staffing decisions and state board of education or local board of education policies relating to innovative educational programs under [§ 49-1-207](#); innovative high school programs under chapter 15 of this title; virtual education programs under chapter 16 of this title; and other programs for innovative schools or school districts that may be enacted by the general assembly;

(5) All personnel decisions concerning assignment of professional employees, including, but not limited to, filling of vacancies, assignments to specific schools, positions, professional duties, transfers within the system, layoffs, reductions in force, and recall. No agreement shall include provisions that require personnel decisions to be determined on the basis of tenure, seniority or length of service; and

(6) Payroll deductions for political activities.

(c) The director of schools shall be permitted to communicate with professional employees employed by the local board of education concerning any subject relevant to the operation of the school system, including the terms and conditions of professional service that are subject to collaborative conferencing, through any means, medium or format the director chooses.

- **Texas -**

1. [Texas Statutes and Codes Annotated Title 6 Chapter 617](#) (Public Officers and Employees):

An official of the state or of a political subdivision of the state may not recognize a labor organization as the bargaining agent for a group of public employees. Public employee collective bargaining is prohibited and any contract entered into in violation of that prohibition is void except as provided in the Fire and Police Employee Relations Act:

2. [Texas Statutes and Codes Annotated § 174.001 et seq.](#)(Fire and Police Employee Relations):

The policy of this state is that fire fighters and police officers, like employees in the private sector, should have the right to organize for collective bargaining. Strikes, lockouts, and work stoppages and slowdowns of fire fighters and police officers be prohibited, and therefore a system of binding arbitration is instituted. An alternative procedure of judicial enforcement of the requirements of this chapter regarding compensation and conditions of employment applicable to fire fighters and police officers is also recognized.

- **Vermont -**

1. [Vermont Statutes Annotated, Title 3, Ch. 27, §§ 901-1006](#) (State Employees Labor Relations Act):

State employees meaning any individual employed on a permanent or limited status basis by the state of Vermont, the Vermont state colleges or the University of Vermont, including permanent part-time employees, have the right to form, join or assist employee organizations; to bargain collectively through representatives of their own choice, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection.

The statute creates a state labor relations board composed of six members. The governor shall appoint the members with the advice and consent of the senate for a term of six years or for the member's unexpired term from a list of nominees presented by the labor board review panel. The labor board review panel shall be composed of five members to include the executive director of the Vermont bar association, the commissioner of labor, the state court administrator, and a representative of labor and a representative of employers, both of whom shall be

appointed for two-year terms by the commissioner of labor from names provided by labor organizations and employers in the state.

2. Vermont Municipal Labor Relations Act - Vt. Stat. Ann., Title 21, Ch. 22, §§ 1721-1735.

Vermont recognizes municipal employees' to self-organization; to form, join or assist employee organizations and to bargain collectively. A state Board is established to "define and proscribe practices on the part of employee organizations and municipal employers which are harmful to the general welfare, and to protect the rights of the public in connection with labor disputes." For the purpose of collective bargaining, the representatives of the municipal employer and the bargaining unit shall meet at any reasonable time and shall bargain in good faith with respect to wages, hours and conditions of employment, and shall execute a written contract incorporating any agreement reached; provided, however, neither party shall be compelled to agree to a proposal nor to make a concession, nor to bargain over any issue of managerial prerogative.

3. Labor Relations for Teachers Act - Vt. Stat. Ann., Title 16, Ch. 57, §§ 1981-2010

Vermont's teachers, principals, assistant principals, and administrators, other than the superintendent and assistant superintendent, have the right to join, assist, or participate in any teachers' or administrators' organization of their choosing. Organized employees may be required to pay an agency fee pursuant to an agreement negotiated under this chapter.

The State Board has jurisdiction over state and local government, judiciary and teachers.

- **Washington -**

1. Public Employees' Collective Bargaining - Was. Rev. Code § 41.56.010 *et seq.* Collective bargaining rights appertain to any county or municipal corporation, or any political subdivision of the state of Washington, including district courts and superior courts, except for the usual managerial or confidential employees, etc..

2. Educational Employment Relations Act - Was. Rev. Code § 41.59.010 *et seq.* Collective bargaining rights pursuant to Was. Rev. Code § 41.56.010 *et seq* are extended to employees of institutions of higher education who are exempted from civil service pursuant to RCW 41.06.070 with applicable exceptions.

3. By successive Code provisions the Washington statute extended Collective Bargaining to additional public employees as follows:

41.56.022 University of Washington printing craft employees

- 41.56.024 Classified employees of technical colleges.
- 41.56.025 Juvenile inmate education providers
- 41.56.0251 Charter schools employees
- 41.56.026 Home Health Care individual providers
- 41.56.027 Passenger-only ferry employees.
- 41.56.028 Family child care providers
- 41.56.029 Adult family home providers
- 28B.52.010 Academic Personnel in Community Colleges
- 47.64.011 Marine Employees
- 53.18.010 *et seq.* Port District Employees

In Summary, Washington’s Board has jurisdiction over state and local government, certain state operations including courts, K-12, universities, ports, utilities

- **Wisconsin -**

- 1. State employees' bargaining rights - Wis. Stat. Ann. §§ 111.80 - 111.97

Wisconsin extends collective bargaining rights to “Any state employee in the classified service of the state” except limited term employees, sessional employees, project employees, supervisors, management employees and individuals who are privy to confidential matters affecting the employer-employee relationship, as well as all employees of the employment relations commission which has jurisdiction over public employee bargaining issues. Bargaining rights are also extended to employees of the University of Wisconsin System, except faculty under and academic staff and to program, project or teaching assistants except supervisors, management employees and individuals who are privy to confidential matters affecting the employer-employee relationship.

Bargaining rights are also extended to the following:

- (a) Assistant district attorneys, except supervisors, management employees and individuals who are privy to confidential matters affecting the employer-employee relationship.
- (b) Attorneys employed in the office of the state public defender, except supervisors, management employees or individuals who are privy to confidential matters affecting the employer-employee relationship.
- (c) Instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract.
- (d) Research assistants of the University of Wisconsin-Madison and University of Wisconsin-Extension.
- (e) Research assistants of the University of Wisconsin-Milwaukee.
- (f) Research assistants of the Universities of Wisconsin-Eau Claire, Green Bay, La Crosse, Oshkosh, Parkside, Platteville, River Falls, Stevens Point, Stout, Superior, and Whitewater.

- 2. Municipal employees' bargaining rights - Wis. Stat. Ann. §§ 111.70 - 111.77

Wisconsin recognizes collective bargaining rights for all employees of any city, county, village, town, metropolitan sewerage district, school district, long-term care district,

transit authority, local cultural arts district or any other political subdivision of the state, or instrumentality of one or more political subdivisions of the state with the usual exemptions for management or confidential employees, etc.

Wisconsin's Board has jurisdiction over all public employee bargaining in the state whether involving local or state employees.

- **Wyoming -**

Collective Bargaining for Fire Fighters - Wyo. Stat. Ann. §§ 27-10-101 to 27-10-109.

Wyoming extends collective bargaining to the fire fighters in any city, town or county as to wages, rates of pay, working conditions and all other terms and conditions of employment. Local firefighters represent an exception to a general rule that Wyoming's labor relations laws apply only to private industry and is not construed to require municipalities to engage in collective bargaining with any of their employees other than firefighters.