

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
108TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT " A" to S.P. 752, L.D. 2203, Bill,
"AN ACT to Clarify the Collective Bargaining Laws for Teachers
and to Establish a Commission to Study the Problems Relating
Thereeto."

Amend the Bill by striking out all of the title and inserting
in its place the following: 'AN ACT to Insure Local Control
Over Education Policy."

Further amend the Bill by striking out everything after the
enacting clause and before the emergency clause and inserting in
its place the following:

' Sec. 1. 20 MRSA §161, sub-§5, as last amended by PL 1977,
c. 580, §§16 and 17, is further amended by adding after the
4th sentence a new sentence to read:

Neither just cause nor the criteria and standards of job
performance of teachers and other school employees, as provided
by Title 5, section 1006, subsection 3, shall be subject to
interest arbitration under Title 26, section 965, subsection 4.

Sec. 2. 26 MRSA §965, sub-§1, ¶C, as enacted by PL 1969,
c. 424, §1, is amended to read:

C. To confer and negotiate in good faith with respect to wages,
hours, working conditions and contract grievance arbitration, except
that by such obligation neither party shall be compelled to agree to
a proposal or be required to make a concession and except that public
employers of teachers shall meet and consult but not negotiate
with respect to educational policies for the purpose of this
paragraph, educational policies shall not include wages, hours,

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working conditions or contract grievance arbitration, however, an item which is an impact of education policy shall not be subject to interest arbitration under subsection 4 until the Maine Labor Relations Board determines that the item shall be considered either a question of education policy or an item of negotiability;

Statement of Fact

The purposes of this amendment are to:

1. Exclude just cause and the criteria and standards of job performance of teachers and other school employees as items subject to interest arbitration;
2. Exclude the impact of educational policies as an item subject to interest arbitration; and
3. Direct that disputes about what is educational policy or the impact of educational policy should be referred to the Maine Labor Relations Board for resolution.

(Trotzky)
NAME:



COUNTY: Penobscot

Reproduced and distributed pursuant to Senate Rule 11-A.

March 17, 1978

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