

2014 -- H 7633

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS - MUNICIPAL EMPLOYEES  
ARBITRATION

Introduced By: Representative Patricia A.Serpa

Date Introduced: February 26, 2014

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-9.1-6 of the General Laws in Chapter 28-9.1 entitled  
2 "Firefighters' Arbitration" is hereby amended to read as follows:

3 **28-9.1-6. Obligation to bargain.** -- It shall be the obligation of the city or town, acting  
4 through its corporate authorities, to meet and confer in good faith with the representative or  
5 representatives of the bargaining agent within ten (10) days after receipt of written notice from  
6 the bargaining agent of the request for a meeting for collective bargaining purposes. This  
7 obligation shall include the duty to cause any agreement resulting from the negotiations to be  
8 reduced to a written contract, provided that no contract shall exceed the term of one year, unless a  
9 longer period is agreed upon in writing by the corporate authorities and the bargaining agents, but  
10 in no event shall the contract exceed the term of three (3) years unless a budget commission or a  
11 receiver has been appointed for a municipality pursuant to Chapter 45-9, in which case the  
12 contract shall not exceed the term of five (5) years. [In the event that a municipality has a locally](#)  
13 [administered pension plan in "critical status", and changes are required in order to implement a](#)  
14 [funding improvement plan pursuant to § 45-65-6\(2\), no contract shall exceed the term of five \(5\)](#)  
15 [years.](#) An unfair labor practice charge may be complained of by either the employer's  
16 representative or the bargaining agent to the state labor relations board which shall deal with the  
17 complaint in the manner provided in chapter 7 of this title.

18 SECTION 2. Section 28-9.2-6 of the General Laws in Chapter 28-9.2 entitled "Municipal

1 Police Arbitration" is hereby amended to read as follows:

2 **28-9.2-6. Obligation to bargain.** -- It shall be the obligation of the city or town, acting  
3 through its corporate authorities, to meet and confer in good faith with the designated  
4 representative or representatives of the bargaining agent, including any legal counsel selected by  
5 the bargaining agent, within ten (10) days after receipt of written notice from the bargaining agent  
6 of the request for a meeting for collective bargaining purposes. This obligation includes the duty  
7 to cause any agreement resulting from the negotiations to be reduced to a written contract,  
8 provided that no contract shall exceed the term of one year, unless a longer period is agreed upon  
9 in writing by the corporate authorities and the bargaining agent, but in no event shall the contract  
10 exceed the term of three (3) years unless a budget commission or a receiver has been appointed  
11 for a municipality pursuant to chapter 45-9, in which case the contract shall not exceed the term  
12 of five (5) years. [In the event that a municipality has a locally administered pension plan in](#)  
13 ["critical status", and changes are required in order to implement a funding improvement plan](#)  
14 [pursuant to § 45-65-6\(2\), no contract shall exceed the term of five \(5\) years.](#) An unfair labor  
15 charge may be complained of by either the employer's representative or the bargaining agent to  
16 the state labor relations board which shall deal with the complaint in the manner provided in  
17 chapter 7 of this title.

18 SECTION 3. Section 28-9.3-4 of the General Laws in Chapter 28-9.3 entitled "Certified  
19 School Teachers' Arbitration" is hereby amended to read as follows:

20 **28-9.3-4. Obligation to bargain.** -- It shall be the obligation of the school committee to  
21 meet and confer in good faith with the representative or representatives of the negotiating or  
22 bargaining agent within ten (10) days after receipt of written notice from the agent of the request  
23 for a meeting for negotiating or collective bargaining purposes. This obligation includes the duty  
24 to cause any agreement resulting from negotiations or bargaining to be reduced to a written  
25 contract; provided, that no contract shall exceed the term of three (3) years unless a budget  
26 commission or a receiver has been appointed for a municipality pursuant to chapter 45-9, in  
27 which case the contract shall not exceed the term of five (5) years. [In the event that a municipality](#)  
28 [has a locally administered pension plan in "critical status", and changes are required in order to](#)  
29 [implement a funding improvement plan pursuant to § 45-65-6\(2\), no contract shall exceed the](#)  
30 [term of five \(5\) years.](#) An unfair labor practice charge may be complained of by either the  
31 bargaining agent or the school committee to the state labor relations board which shall deal with  
32 the complaint in the manner provided in chapter 7 of this title.

33 SECTION 4. Section 28-9.4-5 of the General Laws in Chapter 28-9.4 entitled "Municipal  
34 Employees' Arbitration" is hereby amended to read as follows:

1           **28-9.4-5. Obligation to bargain.** -- It shall be the obligation of the municipal employer  
2 to meet and confer in good faith with the representative or representatives of the negotiating or  
3 bargaining agent within ten (10) days after receipt of written notice from the agent of the request  
4 for a meeting for negotiating or collective bargaining purposes. This obligation includes the duty  
5 to cause any agreement resulting from negotiation or bargaining to be reduced to a written  
6 contract; provided, that no contract shall exceed the term of three (3) years unless a budget  
7 commission or a receiver has been appointed for a municipality pursuant to chapter 45-9, in  
8 which case the contract shall not exceed the term of five (5) years. [In the event that a municipality](#)  
9 [has a locally administered pension plan in "critical status", and changes are required in order to](#)  
10 [implement a funding improvement plan pursuant to § 45-65-6\(2\), no contract shall exceed the](#)  
11 [term of five \(5\) years.](#) Failure to negotiate or bargain in good faith may be complained of by  
12 either the negotiating or bargaining agent or the municipal employer to the state labor relations  
13 board, which shall deal with the complaint in the manner provided in chapter 7 of this title. An  
14 unfair labor practice charge may be complained of by either the bargaining agent or employer's  
15 representative to the state labor relations board, which shall deal with the complaint in the manner  
16 provided in chapter 7 of this title.

17           SECTION 5. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
RELATING TO LABOR AND LABOR RELATIONS - MUNICIPAL EMPLOYEES  
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1           This act would provide that in the event a municipality has a locally administered  
2 firefighter, police, teacher or municipal employee pension plan in "critical status", and changes  
3 are required to implement a funding improvement plan, then in such event no contract would  
4 exceed the term of five (5) years.

5           This act would take effect upon passage.

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