

2017 -- H 5232

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS - MUNICIPAL EMPLOYEES'
ARBITRATION

Introduced By: Representatives McEntee, Craven, McKiernan, Lombardi, and Hull

Date Introduced: January 26, 2017

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 28-9.4 of the General Laws entitled "Municipal Employees'
2 Arbitration" is hereby amended by adding thereto the following section:

3 **28-9.4-20. Bargaining units obligation to represent nonmembers.**

4 (a) The exclusive representative shall have the right to act for and negotiate agreements
5 covering all employees in the bargaining unit. Nothing in this section shall require the exclusive
6 representative to provide representation at any level of the grievance process including arbitration
7 in any case on behalf of an employee who has elected not to maintain membership in the
8 employee organization for a period of at least ninety (90) days prior to the events giving rise to
9 the grievance.

10 (b) An employee who has elected not to maintain membership in the employee
11 organization may, at their own expense, present a grievance to the employer and have such
12 grievance heard without intervention by the exclusive representative, provided that the exclusive
13 representative is afforded the opportunity to be present at such conferences and that any
14 adjustment made shall not be inconsistent with the terms of an agreement then in effect between
15 the employer and the exclusive representative. The exclusive representative shall have no
16 obligation to incur expenses related to a grievance initiated by an employee who has elected not
17 to maintain membership in the employee organization for a period of at least ninety (90) days
18 prior to the events giving rise to the grievance.

1 SECTION 2. 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 relieve municipal employees' unions of their obligation to represent an
2 employee, in grievance process, if that employee has elected not to maintain union membership
3 for at least ninety (90) days prior to the events giving rise to the grievance event. It would also
4 give the union a right to participate in the grievance process for an employee that is not entitled to
5 union representation.

6 This act would take effect upon passage.

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