

2025 -- H 5266

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- CERTIFIED SCHOOL TEACHERS'
ARBITRATION

Introduced By: Representatives Corvese, Kislak, Azzinaro, Kennedy, Noret, O'Brien,
Dawson, and Craven

Date Introduced: January 31, 2025

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-9.3-7 of the General Laws in Chapter 28-9.3 entitled "Certified
2 School Teachers' Arbitration" is hereby amended to read as follows:

3 **28-9.3-7. Certification of negotiating agent.**

4 (a) No association or organization shall be initially certified as the representative of
5 certified public school teachers except after an election.

6 (b) Teachers shall be free to join or to decline to join any association or organization
7 regardless of whether it has been certified as the exclusive representative of certified public school
8 teachers.

9 (c) If new elections are not held after an association or labor organization is certified, the
10 association or organization shall continue as the exclusive representative of the certified public
11 school teachers from year to year until recognition is withdrawn or changed as provided in § 28-
12 9.3-5.

13 (d) Elections shall not be held more often than once each twelve (12) months and must be
14 held at least thirty (30) days before the expiration date of any employment contract.

15 (e) Any employees in the bargaining unit, who are not members of the exclusive bargaining
16 representative organization, may be required by the labor or employee organization to pay a
17 reasonable charge for representation in grievances and/or arbitrations brought at the nonmember's
18 request.

1 (f) The employer shall notify the exclusive bargaining unit representative organization of
2 the hiring of any employee in the bargaining unit. The notice shall be given promptly after the
3 hiring decision is made but in no event later than the fifth business day following the employee's
4 start date.

5 (g) Bargaining unit lists:

6 (1) Once every one hundred twenty (120) days, or on a more frequent basis if mutually
7 agreed to by the employer and the employee organization, the employer shall provide the employee
8 organization that is the exclusive representative of a bargaining unit, and any statewide employee
9 organization, of which the local employee organization is an affiliate, with a list of all employees
10 in that bargaining unit.

11 (2) The list shall include, as appropriate, each employee's employee ID number, first name,
12 last name, work location/department, job title/classification, date of hire, date of birth, demographic
13 information, contact information, and whether the employee has, to the employer's records,
14 authorized dues deduction. As used in this section, "demographic information", includes the
15 employee's sex and race/ethnicity, to the extent the employer is in possession of such information.
16 As used in this section, "contact information" includes an employee's home address, mailing
17 address, work email address, personal email address, and home and personal cellular telephone
18 numbers, to the extent that the employer is in possession of such information.

19 (3) To the extent possible, the employee list shall be in alphabetical order by last name and
20 provided as an electronic spreadsheet with one column for each of the data listed in subsection
21 (g)(2) of this section.

22 (4) The list shall be kept confidential by the employer and the employee organization and
23 shall be exempt from copying and inspection under chapter 2 of title 38 ("access to public records").

24 SECTION 2. Section 28-9.4-8 of the General Laws in Chapter 28-9.4 entitled "Municipal
25 Employees' Arbitration" is hereby amended to read as follows:

26 **28-9.4-8. Certification of negotiating agent.**

27 (a) No employee organization shall be initially certified as the representative of municipal
28 employees in an appropriate bargaining unit except after an election.

29 (b) Municipal employees shall be free to join or decline to join any employee organization
30 regardless of whether it has been certified as the exclusive representative of municipal employees
31 in an appropriate bargaining unit.

32 (c) If new elections are not held after an employee organization is certified, the employee
33 organization shall continue as the exclusive representative of the municipal employees of the
34 appropriate bargaining unit from year to year until recognition is withdrawn or changed as provided

1 in § 28-9.4-6.

2 (d) Elections shall not be held more often than once each twelve (12) months and must be
3 held at least thirty (30) days before the expiration date of any employment contract.

4 (e) An employee organization designated as the representative of the majority of the
5 municipal employees in an appropriate bargaining unit shall be the exclusive bargaining agent for
6 all municipal employees of the unit, and shall act, negotiate agreements, and bargain collectively
7 for all employees in the unit and shall be responsible for representing the interest of all the
8 municipal employees without discrimination and without regard to employee organization
9 membership.

10 (f) Any employee(s) in the bargaining unit, who are not members of the exclusive
11 bargaining representative organization, may be required by the labor or employee organization to
12 pay a reasonable charge for representation in grievances and/or arbitrations brought at the
13 nonmember's request.

14 (g) The employer shall notify the exclusive bargaining unit representative organization of
15 the hiring of any employee in the bargaining unit. The notice shall be given promptly after the
16 hiring decision is made but in no event later than the fifth business day following the employee's
17 start date.

18 (h) Bargaining unit lists:

19 (1) Once every one hundred twenty (120) days, or on a more frequent basis if mutually
20 agreed to by the employer and the employee organization, the employer shall provide the employee
21 organization that is the exclusive representative of a bargaining unit, and any statewide employee
22 organization, of which the local employee organization is an affiliate, with a list of all employees
23 in that bargaining unit.

24 (2) The list shall include, as appropriate, each employee's employee ID number, first name,
25 last name, work location/department, job title/classification, date of hire, date of birth, demographic
26 information, contact information, and whether the employee has, to the employer's records,
27 authorized dues deduction. As used in this section, "demographic information" includes the
28 employee's sex and race/ethnicity, to the extent the employer is in possession of such information.
29 As used in this section, "contact information" includes an employee's home address, mailing
30 address, work email address, personal email address, and home and personal cellular telephone
31 numbers, to the extent that the employer is in possession of such information.

32 (3) To the extent possible, the employee list shall be in alphabetical order by last name and
33 provided as an electronic spreadsheet with one column for each of the data listed in subsection
34 (h)(2) of this section.

1 (4) The list shall be kept confidential by the employer and the employee organization and
2 shall be exempt from copying and inspection under chapter 2 of title 38 ("access to public records").

3 SECTION 3. Section 36-11-2 of the General Laws in Chapter 36-11 entitled "Organization
4 of State Employees" is hereby amended to read as follows:

5 **36-11-2. Discrimination because of membership in employee organization prohibited.**

6 (a) There shall be no discrimination against any state employee because the employee has
7 formed, joined, or chosen to be represented by any labor or employee organization.

8 (b) Supervisory employees shall not endorse any particular labor or employee organization
9 or by reason of membership in any organization, show prejudice or discriminate against any
10 individual employee.

11 (c) Membership in any labor or employee organization may be determined by each
12 individual employee and each individual member. Membership dues or fees are established in
13 amounts as determined by the organization.

14 (d) The state controller shall hereby be directed, upon certification of the exclusive
15 bargaining organization, to deduct biweekly membership dues from the employee's salary and
16 remit the amount to the treasurer of the exclusive bargaining organization.

17 (e) Any employees in the bargaining unit, who are not members of the exclusive bargaining
18 representative organization, may be required by the labor or employee organization to pay a
19 reasonable charge for grievances and/or arbitrations brought at the nonmember's request.

20 (f) The employer shall notify the exclusive bargaining unit representative organization of
21 the hiring of any employee in the bargaining unit. The notice shall be given promptly after the
22 hiring decision is made but in no event later than the fifth business day following the employee's
23 start date.

24 (g) Bargaining unit lists:

25 (1) Once every one hundred twenty (120) days, or on a more frequent basis if mutually
26 agreed to by the employer and the employee organization, the employer shall provide the employee
27 organization that is the exclusive representative of a bargaining unit, and any statewide employee
28 organization, of which the local employee organization is an affiliate, with a list of all employees
29 in that bargaining unit.

30 (2) The list shall include, as appropriate, each employee's employee ID number, first name,
31 last name, work location/department, job title/classification, date of hire, date of birth, demographic
32 information, contact information, and whether the employee has, to the employer's records,
33 authorized dues deduction. As used in this section, "demographic information" includes the
34 employee's sex and race/ethnicity, to the extent the employer is in possession of such information.

1 As used in this section, "contact information" includes an employee's home address, mailing
2 address, work email address, personal email address, and home and personal cellular telephone
3 numbers, to the extent that the employer is in possession of such information.

4 (3) To the extent possible, the employee list shall be in alphabetical order by last name and
5 provided as an electronic spreadsheet with one column for each of the data listed in subsection
6 (g)(2) of this section.

7 (4) The list shall be kept confidential by the employer and the employee organization and
8 shall be exempt from copying and inspection under chapter 2 of title 38 ("access to public records").

9 SECTION 4. 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 -- CERTIFIED SCHOOL TEACHERS'
ARBITRATION

1 This act would require the employers of unionized public school teachers, municipal
2 employees and state employees, to provide the union, at least once every one hundred twenty (120)
3 days, a list of all their employees in their union, as well as their personal and demographic
4 information, which shall be kept confidential by the employer and the employee organization.

5 This act would take effect upon passage.

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