

STATEMENT TO
[First Reprint]
SENATE, No. 3810

with Senate Floor Amendments
(Proposed by Senator SWEENEY)

ADOPTED: JUNE 21, 2021

These amendments:

1. Add a permissive category of collective negotiations for municipalities and counties, with permissive subjects including subjects that are not currently mandatory subjects, except if exempted from negotiations by legislation or if a negotiated agreement would prevent government from carrying out its statutory mission.

2. Retain the bill's expanded mandatory category for all government employers other than counties and municipalities, but add the specification that a subject of negotiation is not mandatory unless it is intimately and directly affects the work and welfare of public employees.

3. Clarify that the Public Employment Relations Commission retains jurisdiction over scope of negotiations disputes.

4. Require that grievance procedures provide that all disputes over the application, interpretation or violation of the terms of a collective negotiations agreement are subject to binding arbitration.

5. Indicate that all disciplinary matters for which there is not an alternate statutory appeal procedure are subject to binding arbitration, and that where there is an alternate statutory appeal procedure, such as civil service or tenure procedures, the parties may negotiate to have discipline submitted to arbitration.

6. State that collective negotiations agreements that are in effect are not impacted until the expiration of those agreements.

7. State that the Legislature retains the authority to exempt from collective negotiations subjects that would otherwise be mandatory.

8. State that nothing in the bill allows negotiations disputes to be submitted to compulsory interest arbitration.