

**HB 4113 STAFF MEASURE SUMMARY**

**Carrier:** Rep. Clem

**House Committee On Business and Labor**

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**Action Date:** 02/14/18

**Action:** Do Pass.

**Vote:** 7-4-0-0

**Yeas:** 7 - Bynum, Doherty, Evans, Fahey, Holvey, Kennemer, Piluso

**Nays:** 4 - Barreto, Boles, Heard, Wilson

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

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**WHAT THE MEASURE DOES:**

Includes class size as a mandatory subject of school district collective bargaining.

**ISSUES DISCUSSED:**

- Value of smaller classes
- Budget constraints and cost drivers faced by school districts
- Whether teacher strikes might become more common if class size is a mandatory subject of bargaining
- Factors other than class size affect student performance
- Waiting for policy recommendations from the Joint Committee on Student Success
- Other states that bargain over class size, including Washington and California

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

The Public Employee Collective Bargaining Act (PECBA), enacted in 1973, codifies the laws governing employment relations between public employers and employees in the state, counties, cities, school districts, transportation districts, and other local governments, as well as private employers not subject to the jurisdiction of the National Labor Relations Board.

Under PECBA, both the public employer and the labor organization are required to collectively bargain in good faith with respect to “employment relations,” which are defined as including, but not limited to, matters concerning direct or indirect monetary benefits, hours, vacations, sick leave, grievance procedures, and other conditions of employment. Subjects that are included within “employment relations” are also called mandatory subjects of bargaining, meaning that the bargaining representative and the employer must negotiate on those subjects. Other subjects may be bargained as long as there is mutual agreement to discuss these permissive subjects of bargaining.

Since passage of Senate Bill 750 (1995), class size has been a permissive subject of bargaining. From 1989 until Senate Bill 750 went into effect, class size was a mandatory subject of bargaining. Prior to 1989, class size was a permissive subject of bargaining.

House Bill 4113 makes class size a mandatory subject of school district collective bargaining.