

January 30, 1998

SENATE BILL No. 367

DIGEST OF SB0367 (Updated January 28, 1998 5:44 pm - DI 71)

Citations Affected: IC 20-7.5-1-7.

Synopsis: Insurance information for school employees. Provides that it is not an unfair practice for a school employer to communicate with school employees concerning insurance coverage provided by the school employer that may affect the potential liability of school employees arising from the course of the school employees' employment.

Effective: July 1, 1998.

Weatherwax

January 8, 1998, read first time and referred to Committee on Education.
January 29, 1998, reported favorably — Do Pass.

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January 30, 1998

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

SENATE BILL No. 367

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-7.5-1-7 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 7. ~~Unfair Practices:~~
3 (a) It shall be an unfair practice for a school employer to **do the**
4 **following:**
5 (1) Interfere with, restrain, or coerce school employees in the
6 exercise of the rights guaranteed in section 6 of this chapter.
7 (2) Dominate, interfere, or assist in the formation or
8 administration of any school employee organization or contribute
9 financial or other support to it. ~~provided, that~~ **However,** subject
10 to rules and regulations made by the governing body, a school
11 employer may permit school employees to confer with the school
12 employer or with any school employee organization during
13 working hours without loss of time or pay.
14 (3) Encourage or discourage membership in any school employee
15 organization through discrimination in regard to hiring or tenure
16 of employment or any term or condition of employment.
17 (4) Discharge or otherwise discriminate against a school

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1 employee because he has filed a complaint, affidavit, petition, or
 2 given any information or testimony under this chapter.
 3 (5) Refuse to bargain collectively or discuss with an exclusive
 4 representative as required by any provisions of this chapter.
 5 (6) Fail or refuse to comply with any provision of this chapter.
 6 **(b) It is not an unfair practice for a school employer to**
 7 **communicate with school employees concerning insurance**
 8 **coverage provided by the school employer that may affect the**
 9 **potential liability of a school employee arising from the course of**
 10 **the school employee's employment.**
 11 ~~(b)~~ **(c) It shall be an unfair practice for a school employee**
 12 **organization or its agents to do the following:**
 13 (1) Interfere with, restrain, or coerce:
 14 ~~(a)~~ **(A)** school employees in the exercise of the rights
 15 guaranteed by this chapter; or
 16 ~~(b)~~ **(B)** a school employer in the selection of its representatives
 17 for the purpose of bargaining collectively, **or** discussing or
 18 adjusting grievances.
 19 This ~~paragraph~~ **subdivision** shall not impair the right of a school
 20 employee organization to prescribe its own rules with respect to
 21 the acquisition or retention of membership therein.
 22 (2) Cause or attempt to cause a school employer to discriminate
 23 against an employee in violation of subsection (a).
 24 (3) Refuse to bargain collectively with a school employer, if the
 25 school employee organization is the exclusive representative.
 26 (4) Fail or refuse to comply with any provision of this chapter.
 27 ~~(c)~~ **(d) Nothing herein in this section** shall in any way restrict the
 28 right of either the school employer or the school employee organization
 29 to bring suit for specific performance ~~and/or or~~ breach of performance
 30 of a collective bargaining contract in any court having jurisdiction
 31 thereof.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Education, to which was referred Senate Bill 367, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 367 as introduced.)

WEATHERWAX, Chairperson

Committee Vote: Yeas 7, Nays 2.

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