

New Hampshire School Boards Association
Legislative Bulletin
February 15, 2008



A Weekly Update of Important Activity in the Legislature

Retirement

HB 1645 – *relative to administration of the Retirement System and certain benefits provided*
NHSBA testified in support of HB 1645 before a Joint Committee of Finance and Executive Departments and Administration (see http://www.nhsba.org/legislative_bulletins.asp). The bill makes changes to the governance of the system, recognizing its complexity and adding people with subject matter expertise. Trustees who are beneficiaries of the system would be a minority of the Board. HB 1645 also addresses some of the medical subsidy issues, including a transfer of \$250 million from the Special Account to the Pension Fund. The intent is to help offset employer funding increases incurred as a result of the new policy to charge employers for the medical subsidy. Support for this bi-partisan bill is needed to help achieve necessary reforms to NHRS and restore its fiscal integrity.

Labor Relations Update

Collective Bargaining

Several bills seeking to change the collective bargaining process will be voted on by the House Labor Committee next Tuesday. HBs 1364, 1436 and 1469 contain provisions that attempt to by-pass local legislative body approval of cost items and/or implement statutory evergreen clauses. HB 1469 specifically adds “matters directly related to safety considerations” to be bargained under the terms and conditions of employment. See NHSBA testimony in opposition at http://www.nhsba.org/legislative_bulletins.asp.

ACTION ITEM

Please contact your local representative and members of the House Labor Committee (see <http://www.gencourt.state.nh.us/house/committees/committeedetails.aspx?code=H11>), urging defeat of these bills that tip the balance of negotiations, unilaterally implement pay raises without local voter approval, and creates bargaining units of small groups with only 3 members. The bills foster a more adversarial bargaining process leading to more impasse, with no incentive for labor to bargain a new contract when automatic pay increases are guaranteed. They also raise NH Constitution Article 28-a issues because they modify the current statutes in a way that creates additional costs for local districts.

Dismissal and Nonrenewal

The House Education Committee will vote on HBs 1328 and 1330 next Tuesday. HB 1328 requires all school employees to receive due process protections and just cause as part of any disciplinary action. HB 1330 requires just cause for non-renomination, allows multiple methods of appeal and changes the state board standard for review of a local board’s decision from “clearly erroneous” to “unjust or unreasonable”. SB 374 contains similar provisions and will have a public hearing before Senate Education next Tuesday, Feb. 19 at 8:30.

ACTION ITEM

Please contact your local representative and members of the House Education Committee (see <http://www.gencourt.state.nh.us/house/committees/committeedetails.aspx?code=H05>), urging defeat of these bills that require “due process protections” and “just cause” for all discipline of school employees. Extending due process requirements to all forms of discipline would negatively impact employees’ day-to-day performance and misconduct issues. The bills also would require just cause for non-renewal of tenured teachers, and would allow them to arbitrate any non-renewal.

Please review the ACTION ITEMS above and contact your local representatives, senators, and committee members TODAY to voice your concerns regarding legislative proposals. Remember that you, through NHSBA, are the only locally elected officials that “speak” exclusively for public education in NH.

For the complete text of any bill, go to <http://www.gencourt.state.nh.us/ns/billstatus/quickbill.html> and enter the bill number, e.g. HB1469, SB362 or CACR21 (no spaces!), and make sure the Session Year is 2008.

For more information, call Dean Michener, Dir. of Governmental Affairs at 603-228-2061, or email: deanm@nhsba.org.