

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 111

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MATHEWS.

0615H.01P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 70.427, RSMo, and to enact in lieu thereof one new section relating to collective bargaining units within the bi-state development agency.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 70.427, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 70.427, to read as follows:

70.427. **1.** Nothing in sections 70.378 and 70.441 shall be construed to limit any collective bargaining agreement between the bi-state development agency and its employees.

2. Notwithstanding any provision of law to the contrary, a collective bargaining unit may independently represent different classes of workers within the bi-state development agency.

3. Notwithstanding any provision of law to the contrary, multiple collective bargaining units may exist within the bi-state development agency.

4. The bi-state development agency is authorized and directed to settle labor disputes involving representation by arbitration. If any labor dispute involving representation arises in the operation of any public transportation service operated by or for the bi-state development agency, the bi-state development agency shall submit such dispute to arbitration by a board composed of three members, one of whom shall be appointed by the bi-state development agency and one of whom shall be appointed by the representative of the employees. The third member, who shall serve as chair of the board, shall be selected from a current listing of the membership of the National Academy of

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 Arbitrators by agreement of the parties or, in the absence of such agreement, by obtaining
17 a list of seven such members of the National Academy of Arbitrators from the American
18 Arbitration Association or from the Federal Mediation and Conciliation Service and by
19 alternately striking one name from the list so supplied until only one name remains. The
20 representative of the employees and a representative of the bi-state development agency
21 shall determine by lot who shall first strike from the list.

22 **5. Labor disputes involving questions concerning representation are subject to the**
23 **arbitration award, which shall be final and binding. In determining any question of**
24 **representation including, but not limited to, whether a labor organization represents a**
25 **majority of employees, whether a proposed unit is an appropriate unit for collective**
26 **bargaining, or whether an election shall be held to determine the question of**
27 **representation, and otherwise in establishing rules and regulations governing**
28 **representation petitions and the conduct of hearings and elections, the arbitration board**
29 **shall be guided by relevant federal law and administrative practice developed under**
30 **section 9 of the National Labor Relations Act, as amended, 29 U.S.C. Section 159.**

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