

State	Public Sector Collective Bargaining	Source of Authority
Alabama	No Law	Special 'meet and confer' type rules for firefighters: <a href="#">AL Code § 11-43-143 (2018)</a> and Teachers: <a href="#">AL Code § 16-1-30 (2018)</a>
Alaska	Permitted	<b>Public employees;</b> <a href="#">Alaska Statutes 2018 Title 23, Chapter 40</a> : The Alaska statute: (1) recognizes the right of “public employees” (defined in § 23.40.250 (6) as “any employee of a public employer, whether or not in the classified service of the public employer, except elected or appointed officials or superintendents of schools”) to organize for the purpose of collective bargaining; (2) requires public employers to negotiate with and enter into written agreements with employee organizations on matters of wages, hours, and other terms and conditions of employment; and, (3) maintains merit-system principles among public employees.
Arizona	Permitted	<b>Public safety employees;</b> <a href="#">ARS Sec. 23-1411</a> : grants public safety employees right to join union. <a href="#">Executive Order 2008-30</a> establishes a "meet and confer" policy for employees of executive agencies which is administered by the Department of Administration. Some cities/counties have adopted their own ordinances (e.g. <a href="#">Phoenix Code, § 2-209 et seq.</a> The City of Phoenix passed an ordinance in 1995 authorizing the City to meet and confer with recognized representatives of its employees, in advance of the budget-making process, with respect to wages, hours and other terms and conditions of employment. The Phoenix Employment Relations Board consists of five members serving three-year terms. The Board’s regular chairman is selected by the Federal Mediation and Conciliation Service, or in the absence of an FMCS submission, by the American Arbitration Association. Member No. 2 is selected by the Mountain States Employers Council, Inc.; Member No. 3 is selected by the Maricopa Area Labor Federation; No. 4 and No. 5 are chosen by the mayor and city council from among the “general public”.)
Arkansas	No Law	Right to Work law: <a href="#">Arkansas Code Annotated Sec. 11-3-301</a>

California	Permitted	<p><b>State Employer-Employee Relations</b> (Ralph C. Dills Act) <a href="#">Government Code §§ 3512-3524</a>: The Dills Act extended jurisdiction of the Educational Employment Relations Board, to include all State civil service employees as well as employees of the California State University and University of California systems and Hastings College of Law (the Higher Education Employer-Employee Relations Act (HEERA) of 1979) (Gov. Code, § 3560 et seq.) thereby creating the Public Employee Labor Relations Board (PERB). As of July 1, 2001, PERB acquired jurisdiction over the Meyers-Milias-Brown Act of 1968 which established collective bargaining for California’s city, county, and local special district employers and employees. PERB’s jurisdiction over the MMBA excludes specified peace officers, management employees, and the City and County of Los Angeles.</p> <p>The Public Employment Relations Board’s and duties are set forth in § 3541: The five-member Public Employment Relations Board is independent of any state agency. The members of the board are appointed by the Governor by and with the advice and consent of the Senate. The Governor selects one member to serve as chairperson. Members of the Board are salaried, and each may have a legal advisor assigned to assist and advise him or her. A member of the board may be removed by the Governor upon notice and hearing for neglect of duty or malfeasance in office, but for no other cause.</p> <p><b>Excluded Employees Bill of Rights</b> <a href="#">Government Code §§ 3525 - 3539.5</a>: The purpose of this chapter is to grant to state supervisory, managerial, confidential, and employees otherwise excepted from coverage under the Ralph C. Dills Act the right to represent their excluded members in their employment relations, including grievances, with the State of California.</p> <p><b>Local Public Employee Organizations</b> (Meyers-Milias-Brown Act) <a href="#">Government Code §§ 3500-3511</a>: The (Meyers-Milias-Brown Act) requires governmental subdivisions of the State including districts, public and quasi-public corporations, public agencies, public service corporations, towns, cities, counties, city and county and municipal corporations, whether incorporated or not and whether chartered or not, except school districts or boards of education having a merit system to permit their employees to form, join, and participate in the activities of employee organizations for the purpose of “representation on all matters of employer-employee relations.” The judiciary is also excluded. The state Act does not supersede pre-existing merit or civil service systems or “procedures for the administration of employer-employee relations” at either the state or local level.</p> <p><b>Public Educational Employer-Employee Relations Act</b> <a href="#">Government Code §§ 3540 - 3549.3</a>: The EERA established collective bargaining in California’s public schools (K12) and community colleges.</p> <p><b>Higher Education Employer-Employee Relations</b>, <a href="#">Government Code §§ 3560-3599</a>: The right of public school employees to engage in collective bargaining through the Dills Act was expanded by the Higher Education Employer-Employee Relations Act to cover the employees of the University of California, Hastings College of the Law, and the California State University.</p>
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Colorado	Permitted	<p><b><i><a href="#">Executive Order D 028 07</a></i></b> (Partnership Agreements with State Employees): By Executive Order the Governor's Designee and the representatives of Certified Employee Organizations have a mutual obligation to negotiate in good faith concerning terms and conditions of employment with the goal of entering into "Partnership Agreements". A Partnership Agreement may be negotiated, depending upon the nature of the issues subject to the Agreement, on a statewide basis, occupational group basis, or departmental basis. The Director of the Division of Labor is designated as the neutral party charged with implementing and administering Executive Order D 028 07. The Director has the authority to:</p> <ol style="list-style-type: none"> <li>a) appoint a panel to advise and make recommendations to the Director of the Division of Labor regarding matters delegated to the Director under this Executive Order;</li> <li>b) appoint qualified, disinterested, mutually acceptable mediators to assist parties in resolving impasses and disputes, issue findings of fact, and/or make recommendations to the parties;</li> <li>c) conduct elections and make determinations regarding certification of exclusive representation;</li> <li>d) appoint election monitors to take complaints regarding the conduct of elections and to make recommendations regarding the disposition of such complaints;</li> <li>e) resolve the issues that may arise under this Executive Order; and</li> <li>f) promulgate such guidelines and establish such procedures as may be necessary for the proper implementation of this Executive Order.</li> </ol>

Connecticut	Permitted	<p><b><i>Municipal Employee Relations Act</i></b>, <a href="#">Conn. Gen. Stats., Title 7, § 7-467 et seq.</a>: Employees of a municipal employer, whether or not in the classified service of the municipal employer, except elected officials, administrative officials, board and commission members, certified teachers, part-time employees who work less than twenty hours per week on a seasonal basis, department heads and persons in such other positions shall have, the right to form, join or assist any employee organization, to bargain collectively through representatives of their own choosing on questions of wages, hours and other conditions of employment and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or from actual interference, restraint or coercion. Disputes and impasses under this provision are submitted to the State Board of Mediation and Arbitration and the state board serves as staff to the arbitration panel.</p> <p><b><i>State Employee Collective Bargaining Act</i></b>, <a href="#">Conn. Gen. Stats., Title 5, § 5-270 et seq.</a>: The Connecticut Statute grants state employees the right to form, join or assist any employee organization, to bargain collectively through representatives of their own choosing on questions of wages, hours and other conditions of employment, (except the establishment, conduct and grading of merit examinations, the rating of candidates and the establishment of lists from such examinations and the appointments from such lists as provided in subsection (d) of Section 5-272,) and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, free from actual interference, restraint or coercion.</p> <p><b><i>Teachers' bargaining rights</i></b>, <a href="#">Conn. Gen. Stats., Title 10, Ch. 166, § 10-153a et seq.</a>: Teachers are granted the right to form, join or assist, or refuse to form, join or assist, any organization for professional or economic improvement and to negotiate in good faith through representatives of their own choosing with respect to salaries, hours and other conditions of employment. Negotiation of “hours” shall not include the length of the student school year, the scheduling of the student school year, the length of the student school day, the length and number of parent-teacher conferences and the scheduling of the student school day, except for the length and the scheduling of teacher lunch periods and teacher preparation periods. Negotiation of “other conditions of employment” shall not include the establishment or provisions of any retirement incentive plan. Negotiations take place between the local or regional board of education and the organization designated or elected as the exclusive representative for the appropriate unit.</p> <p>The statute also provides for an arbitration panel within the Department of Education appointed by the Governor of not less than twenty-four or more than twenty-nine persons to serve as provided The Governor shall appoint such panel, with the advice and consent of the General Assembly. Seven members shall be representative of the interests of local and regional boards of education and shall be selected from lists of names submitted by such boards. Seven members shall be representative of the</p>
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Delaware	Permitted	<p><b>Public Employment Relations Act</b>, <a href="#">Del. Code Ann. Title 19, §§ 1301-1318</a>: The Delaware statute grants “public employees” the right of organization and representation and obligates “public employers” to enter into collective bargaining negotiations and to reduce to writing any agreements reached through such negotiations. Employees covered under this section excludes:</p> <p>(1) any person elected by popular vote or appointed to office by the Governor; (2) any person who is a prisoner or inmate or who is otherwise held in lawful custody by an agency of the State; (3) any person appointed to serve on a board or commission; (4) public school employees (who are entitled to bargain collectively under a separate section); (5) any police officers and firefighters (who are subject to a separate subsection (Chapter 16 of this title); (6) Confidential employees and (7) Supervisory employees provided however, that any supervisory position in a bargaining unit deemed to be appropriate prior to September 23, 1994 shall so continue, unless said unit is decertified or is modified in accordance with procedures authorized by § 1310(e) of this title. Any bargaining unit designated as appropriate prior to September 23, 1994, for which an exclusive representative has been certified, shall so continue without the requirement of a review and possible redesignation until such time as a question concerning appropriateness is properly raised under this chapter. Employees covered under this Act includes county and city or town employees or any agency thereof, which either elects to come within the Act or which employs 100 or more full-time employees.</p> <p>The Board consists of 3 members from the public appointed by the Governor for 6 year terms, subject to confirmation by the Senate. One member is designated by the Governor as Chair, Not more than 2 members of the Board shall be members of the same political party.</p> <p>Every employee organization which has or seeks recognition as a representative of public employees under this chapter is required to file with the labor Board an annual registration report accompanied by 2 copies of the employee organization's constitution and bylaws noting any changes or amendments to such constitutions and bylaws.</p> <p><b>Police Officers' and Firefighters' Employment Relations Act</b>, <a href="#">Del. Code Ann. Title 19, §§ 1601-1618</a>: This section brings those police and firefighter employees not covered by Title 19, §§ 1301-1318, except elected officials or those appointed to serve on a board or commission, under the jurisdiction of the State’s Labor Board.</p>

		<p><b>Public School Employment Relations Act</b>, <a href="#">Del. Code Ann. Title 14, §§ 4001-4018</a>: The Board has jurisdiction over school employees except administrators and confidential employees.</p>
District of Columbia	Permitted	<p><a href="#">D.C. Code Ann. § 1-617.01 to 617.18.</a> : All employees of the District except management supervisors and confidential employees may engage in collective bargaining about compensation and terms and conditions of employment. He evaluation process and instruments for evaluating District of Columbia Public Schools employees are expressly excluded from the scope of collective bargaining. Because of the unique political nature of the District of the Columbia local option is not applicable.</p>
Florida	Permitted	<p><a href="#">Florida Statutes § 447.201 to 447.609</a>: Article I Section 6 of the Florida Constitution provides: “The right of persons to work shall not be denied or abridged on account of membership or nonmembership in any labor union or labor organization. The right of employees, by and through a labor organization, to bargain collectively shall not be denied or abridged. Public employees shall not have the right to strike.” In furtherance of that right § 447.201 grants to public employees the right of organization and representation, requires the state, local governments, and other political subdivisions to negotiate with bargaining agents duly certified to represent public employees and creates a Public Employees Relations Commission.</p> <p><b>Law enforcement bargaining units</b>, <a href="#">Florida Statutes § 447.3075</a>: Any state law enforcement agency that has 1,200 or more officers shall be in a bargaining unit that is separate from officers in other state law enforcement agencies.</p> <p><b>Local Option</b>, <a href="#">Florida Statutes, § 447.603</a>: Any district school board or political subdivision, other than the state or a state public authority, may elect to adopt, by ordinance, resolution, or charter amendment, its own local option in lieu of the Public Employees Act this part, provided such provisions and procedures secure substantially equivalent rights and procedures as set forth in the Act. Members of local commissions established pursuant to this section shall be appointed so that one appointee has been a representative of employers; one appointee has been a representative of employees or employee organizations; and all other appointees, including alternates, shall be persons who, are neither. The chair and all members of any such local commission shall be appointed for 4-year staggered terms. Neither the chair nor any member shall be employed by, or hold any commission with, any governmental unit in the state or any employee organization while serving in such office. The state Labor Commission reviews and approves local provisions or procedures for substantial equivalence to the Act. If a local commission is not properly constituted, fails to act or respond to a filing of an employee organization or public employer or public employee within a reasonable and timely period, or acts in a manner clearly inconsistent with the precedent of the commission, the commission shall assume jurisdiction of the case, and the decision and findings of the commission in such case shall</p>

		<p>be binding upon the local commission, the public employer, and the employee organization or public employee.</p> <p>In order to continuously secure substantially equivalent rights and procedures, the commission may require that any amendment to the Act be incorporated into the local option. The commission shall notify the local legislative body or the local commission of any such required amendment by certified mail, return receipt requested. The local legislative body or local commission shall have 60 days from the date of receipt of such notification from the commission within which to submit the required amendment. If the local legislative body or the local commission fails to submit the required amendment within the 60-day period, the commission may suspend the operation of the local commission until the required amendment is submitted. After 50 days of any such suspension, the commission may transfer to itself any cases or other matters pending before the local commission. No amendment or revision of any ordinance, resolution, charter amendment, rule, or regulation relating to a local option shall become effective without prior approval by the commission.</p>
Georgia	Prohibited	<p><b><i>Exception to general prohibition for Firefighters</i></b> <a href="#">GA Code Sec. 25-5-4</a>: While there is nothing in Georgia statutes authorizing public employee bargaining on a statewide level the Firefighter's Mediation Act makes clear that Georgia's statutory prohibition against public employees engaging in or encouraging a strike or work stoppage (§§45-19-1 et seq.) shall not prohibit such municipal employees from being represented by a labor organization of their choice and from bargaining collectively concerning wages, rates of pay, and other terms and conditions of employment. § 25-5-4 grants to municipal and county firefighters the right to bargain collectively and to be represented by a labor organization in such collective bargaining as to wages, rates of pay, hours, working conditions, and all other terms and conditions of employment. Before a municipality with a population of 20,000 or more and its firefighters may come under this chapter, the governing authority of the municipality must agree by ordinance that the municipality will be so covered. In no case may a city with a population of less than 20,000 come under this chapter.</p> <p><b><i>Teachers specifically prohibited from collective bargaining</i></b>, <a href="#">GA Code Sec. 20-2-989.10</a> and case law: <a href="#">Chatham Association of Educators, Teacher Unit v. Board of Public Education for The City of Savannah and the County of Chatham 231 Ga. 806 (1974); 204 S.E.2d 138</a></p>
Hawaii	Permitted	<p><a href="#">Hawaii Rev. Stats., Ch. 89, § 89-1 et seq</a>: By this statute the State recognizes the right of "public employees" to organize for the purpose of collective bargaining and requires public employers to negotiate with and enter into written agreements with exclusive representatives on matters of wages, hours, and other conditions of employment, while, at the same time, maintaining the merit principle pursuant to Section 76-1. The statute also creates a labor relations board to administer its provisions. Public employees under the Act include State employees cities and counties and judicial employees,</p>

		<p>school district employees, employees of the University of Hawaii, the Hawaii health systems corporation. In the case of the judiciary, the administrative director of the courts shall be the employer in lieu of the chief justice for purposes which the chief justice determines would be prudent or necessary to avoid conflict.</p>
Idaho	Permitted	<p><b>Teachers</b>, <a href="#">Idaho Code §§ 33-1271 to 33-1276</a>: The board of trustees of each school district, including specially chartered districts, or the designated representative(s) of such district, is hereby empowered to and shall, upon its own initiative or upon the request of a local education organization representing professional employees, enter into a negotiation agreement with the local education organization or the designated representative(s) of such organization and negotiate with such party in good faith on those matters specified in any such negotiation agreement between the local board of trustees and the local education organization. <b>Firefighters</b>, <a href="#">Idaho Code §§ 44-1801 to 44-1811</a>: The firefighters in any city, county, fire district or other political subdivision in the state of Idaho shall have the right to bargain collectively with their respective cities, counties, fire districts or political subdivisions and to be represented by a bargaining agent in such collective bargaining process as to wages, rates of pay, working conditions and all other terms and conditions of employment.</p> <p><b>Municipalities have implied authority to enter into CBAs</b>-<a href="#">Guideline 12/22/1989 Idaho Atty. Gen.</a></p>
Illinois	Permitted	<p><b>Illinois Public Labor Relations Act</b>, <a href="#">5 Ill. Comp. Stat. Ann. 315/1 - 315/27</a>: Illinois grants all “public employees” the right to organize and to engage in collective bargaining over wages, hours and other conditions of employment or other mutual aid or protection. Illinois Supreme Court in the case of AOIC v. Teamsters 726 ruled that the Illinois Public Labor Relations Board could not assert jurisdiction over the Illinois official certified court reporters because the Supreme Court is their co-employer together with the Chief Judges of each judicial circuit. This amendatory Act expressly states that the Illinois official certified court reporters are granted collective bargaining rights “as provided in this Act.”</p> <p>The term “Public employee” or “employee”, for the purposes of the Act, means any individual employed by a public employer, including interns and residents at public hospitals employed after the Act but not before, personal care attendants and personal assistants working under the Home Services Program (ii) child and day care home providers employed after the Act but not before, and (iii) home care and home health workers who function as personal care attendants, personal assistants, and individual maintenance home health workers and employed after the Act but not before, but excluding all of the following: employees of the General Assembly of the State of Illinois; elected officials; executive heads of a department; members of boards or commissions; the Executive Inspectors General; any special Executive Inspectors General; employees of each Office of an Executive Inspector General; commissioners and employees of the Executive Ethics Commission; the Auditor General's Inspector</p>

General; employees of the Office of the Auditor General's Inspector General; the Legislative Inspector General; any special Legislative Inspectors General; employees of the Office of the Legislative Inspector General; commissioners and employees of the Legislative Ethics Commission; employees of any agency, board or commission created by this Act; employees appointed to State positions of a temporary or emergency nature; all employees of school districts and higher education institutions except firefighters and peace officers employed by a state university and except peace officers employed by a school district in its own police department in existence on the effective date of the Act; managerial employees; short-term employees; confidential employees; independent contractors; and supervisors except as provided below. All peace officers above the rank of captain in municipalities with more than 1,000,000 inhabitants are excluded.

Notwithstanding the exclusion of supervisors from bargaining units a public employer may agree to permit its supervisory employees to form bargaining units and may bargain with those units. This Act shall apply if the public employer chooses to bargain under this subsection.

The Act dissolved the pre-existing State Labor Board and established a new Board consisting of two panels: the State Panel and the Local Panel. Local Panels are authorized only for municipalities with a greater than 2 million population. Smaller municipalities use the State Panel.

***Illinois Educational Labor Relations Act***, [115 Ill. Comp. Stat. Ann. 5/1 - 5/20](#): The Illinois General Assembly recognizes differences between educational employees and other public employees as a result of the uniqueness of the educational work calendar and educational work duties and the traditional and historical patterns of collective bargaining between educational employers and educational employees and that such differences demand statutory regulation of collective bargaining between educational employers and educational employees in a manner that recognizes these differences. The Act creates the Illinois Educational Labor Relations Board distinct from the State and Local panels. Pursuant to § 17.1, precedents established by other labor boards. Unless contradicted by administrative precedent previously established by the Board, all final decisions in representation and unfair labor practice cases decided by the State or Local Panel of the Illinois Labor Relations Board or their predecessors, the Illinois State Labor Relations Board and the Illinois Local Labor Relations Board previously created under the Illinois Public Labor Relations Act, which have not been reversed by subsequent court rulings shall be considered, but need not be followed, by the Board.

		<p><b>Additional local option information:</b></p> <p>Illinois' state law has merged the few local boards into a separate statewide board (called the Local Panel) to govern the handful of local panels authorized by statute. Those include Chicago municipal and Cook County local boards, as well as separate local boards for some Chicago special districts such as the Chicago Transit Authority and the Chicago Housing Authority. No other local boards are authorized by law.</p>
Indiana	Prohibited	<p>Collective bargaining by state employees explicitly illegal under Title 4, Article 15, Chapter 17 of the Indiana Codes (<a href="#">Indiana Code Sec. 4-15-17-4</a>) The statute exempts from its prohibition the state police, state educational institutions, and political subdivisions of the State.</p> <p><b>Firefighters and Police</b>, <a href="#">Indiana Code Sec. 36-8-22-1 et seq</a>: Public safety employees can bargain through an exclusive representative.</p> <p><b>Teachers</b>, <a href="#">Indiana Code Sec. 20-29-1-1 et seq</a>: Public school teachers can engage in collective bargaining</p>
Iowa	Permitted	<p><a href="#">Iowa Code §§ 20.1 - 20.33</a>. Iowa's statute established collective bargaining for all public employees of Iowa and its boards, commissions, agencies, departments, and its political subdivisions including school districts and other special purpose districts except as follows:</p> <ul style="list-style-type: none"> <li>a) Elected officials and persons appointed to fill vacancies in elective offices, and members of any board or commission.</li> <li>b) Representatives of a public employer, including the administrative officer, director or chief executive officer of a public employer or major division thereof as well as the officer's or director's deputy, first assistant, and any supervisory employees. "Supervisory employee" means any individual having authority in the interest of the public employer to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other public employees, or the responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if, in connection with the foregoing, exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment. All school superintendents, assistant superintendents, principals and assistant principals shall be deemed to be supervisory employees.</li> <li>c) Confidential employees.</li> <li>d) Students working as part-time public employees twenty hours per week or less, except graduate or other postgraduate students in preparation for a profession who are engaged in academically related employment as a teaching, research, or service assistant.</li> <li>e) Temporary public employees employed for a period of four months or less.</li> <li>f) Commissioned and enlisted personnel of the Iowa National Guard.</li> <li>g) Judicial officers and confidential, professional, or supervisory employees of the judicial branch.</li> <li>h) Patients and inmates employed, sentenced or committed to any state or local institution.</li> </ul>

		<p>i) Persons employed by the state department of justice, except nonsupervisory employees of the consumer advocate division who are employed primarily for the purpose of performing technical analysis of non-legal issues.</p> <p>j) Persons employed by the credit union division of the department of commerce.</p> <p>k) Persons employed by the banking division of the department of commerce.</p> <p>l) The appointee serving as the coordinator of the office of renewable fuels and co-products, as provided in Section 159 A.3</p> <p>2. Child care providers: Executive Order No. 45 and Executive Order No. 46, 2006:</p> <p>a) Executive Order No. 45 Orders the Iowa Department of Human Services Director of designee to meet and confer with the authorized representative of registered child development home providers to discuss issues of mutual concern, including training requirements, reimbursement rates, payment procedures, health and safety conditions and any other changes to current practices that would improve the quality of programs.</p> <p>b) Executive Order No. 46 Orders the Iowa Department of Human Services Director of designee to meet and confer with the authorized representative of non-registered child care home providers not otherwise covered by Executive Order No. 45 and who receive payment from the State of Iowa.</p>
Kansas	Permitted	<p><b>Public Employer-Employee Relations Act</b> <a href="#">Kan. Stat. Ann. §§ 75-4321 to 75-4337</a>: Collective bargaining rights are recognized for all public employees and a State Labor Board is established with jurisdiction over both state and local governments except public employers other than the state which have passed substantially equivalent procedures.</p> <p><b>Teachers' bargaining rights:</b> <a href="#">§§ 72-2215 to -2293</a>: The board of education of any school district may enter into a supplemental contract of employment with any employee of the district. As used in this section "supplemental contract" means a contract for services other than those services covered in the principal or primary contract of employment of such employee, and shall include but not be limited to such services as coaching, supervising, directing and assisting extra-curricular activities, chaperoning, ticket taking, lunch room supervision and other similar and related activities. The provisions of article 54 of chapter 72 of Kansas Statutes Annotated which relate to the continuation of teacher contracts and to the due process procedure upon termination or non-renewal of a teacher's contract do not apply to any supplemental contract of employment entered into under this section.</p>
Kentucky	Prohibited	<p><b>Firefighters' bargaining rights</b> (<a href="#">Kentucky Rev. Statutes, Ch. 345, § 345.010 et seq</a>): The rights of police officers, firefighter personnel, firefighters, and corrections personnel of an urban-county government to form, join, or assist any labor organization, to bargain collectively through representatives of their own</p>

		<p>choosing on questions of wages, hours, and other conditions of employment free from interference, restraint, or coercion is recognized.</p> <p><b>County police bargaining rights</b> (<a href="#">Kentucky Rev. Statutes, Ch. 78, § 78.470 et seq.</a>): In any county which has a population of 300,000 or more and, which has adopted the merit system, the county employees in the classified service as police may organize, form, join or participate in organizations in order to engage in lawful concerted activities for the purpose of collective bargaining or other mutual aid and protection, and to bargain collectively through representatives of their own free choice.</p> <p><b>Local police bargaining rights</b> (<a href="#">Kentucky Rev. Statutes, Ch. 67C, § 67C.400 et seq.</a>): Police officers of a consolidated local government have the right to form, join, or assist any labor organization, to bargain collectively through representatives of their own choosing on questions of wages, hours, and other conditions of employment free from interference, restraint, or coercion.</p> <p><b>Urban-county corrections personnel, firefighters, police officers bargaining rights</b> (<a href="#">Kentucky Rev. Statutes, Ch. 67A, § 67A.6901 et seq.</a>) Police officers, firefighter personnel, firefighters, and corrections personnel of an urban-county government have the right of self-organization, to form, join, or assist any labor organization, to bargain collectively through representatives of their own choosing on questions of wages, hours, and other conditions of employment free from interference, restraint, or coercion.</p> <p><b>Collective bargaining for deputy sheriffs in merit system in county containing a consolidated local government or a city of first class</b>, (<a href="#">Kentucky Rev. Statutes, Ch. 70 § 70.262</a>) In any county containing a consolidated local government or city of the first class that has adopted a merit system deputies subject to the merit system may organize, form, join, or participate in organizations in order to engage in lawful concerted activities for the purpose of collective bargaining or other mutual aid and protection, and to bargain collectively through a representative of their own free choice. The sheriff shall not be required to bargain over matters of inherent managerial policy.</p> <p><b>Teachers permitted under case law:</b> <a href="#">Board of Trustees et al. v. Public Emp. Council 571 S.W.2d 616 (Ky. 1978)</a>, at 620-621; <a href="#">Fayette County Educ. Ass'n v. Hardy 626 S.W.2d 217 (Ky. Ct. App. 1980)</a></p>
Louisiana	Permitted	Permitted under case law: <a href="#">Davis v. Henry 555 So.2d 457</a> . CBAs subject to public review: <a href="#">LRS 44:67.1</a>
Maine	Permitted	<p><b>Judicial Employees Labor Relations Act</b>, Me. Rev. Stat. Ann., <a href="#">Title 26, §§ 1281-1294</a>: The State recognizes the right of judicial employees to join labor organizations of their own choosing and to be represented by those organizations in collective bargaining for terms and conditions of employment. <b>State Employee Labor Relations Act</b>, Me. Rev. Stat. Ann., <a href="#">Title 26, §§ 979-979-S</a>: The right bargain collectively is extended to all the departments, agencies and commissions of the executive branch of the State of Maine. With respect to the legislative branch, the Legislative Council shall negotiate and administer collective bargaining agreements.</p>

		<p><b>University of Maine System Labor Relations Act</b>, Me. Rev. Stat. Ann., <a href="#">Title 26, §§ 1021-1036</a>: The State recognizes the right of the University of Maine System employees, Maine Maritime Academy employees and community college employees to join labor organizations of their own choosing and to be represented by such organizations in collective bargaining for terms and conditions of employment.</p> <p><b>Municipal Public Employees Labor Relations Law</b>, Me. Rev. Stat. Ann., <a href="#">Title 26, §§ 961-974</a>: Employees of any municipality or any subdivision of a municipality, any school, water, sewer, fire or other district; or the Maine Turnpike Authority, employees of the Maine Public Employees Retirement System, the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf; or any public school, or school district have the right to join, form and participate in the activities of organizations of their own choosing for the purposes of representation and collective bargaining.</p>
Maryland	Permitted	<p><b>State employees collective bargaining law</b>, <a href="#">MD State Personnel and Pensions Code Sec. 3-101 et seq.</a>: The Maryland statute extends bargaining rights to all employees of the principal departments within the Executive Branch of State government, the Maryland Insurance Administration, the State Department of Assessments and Taxation, the State Lottery Agency, the University System of Maryland, Morgan State University, St. Mary's College of Maryland, and Baltimore City Community College, the Comptroller, the Maryland Transportation Authority who are not police officers, the State Retirement Agency, the State Department of Education and all full-time Maryland Transportation Authority police officers at the rank of first sergeant and below.</p> <p>Expressly exempted from coverage of the State employees collective bargaining law are employees of the Maryland Transit Administration, as that term is defined in § 7-601(a)(2), elected officials, appointed officials provided for by the Maryland Constitution, special appointments in the State Personnel Management System; or directly appointed by the Governor, staff of the Governor or Lieutenant Governor, employees assigned to the Government House or the Governor's Office, an employee assigned to the Board or with access to records of the Board, employees in the executive service of the State Personnel Management System, the chief administrator of the a unit or a comparable position not otherwise excluded as a constitutional or elected office; or a deputy or assistant administrator of the unit or a comparable position. Also excluded are temporary or contractual employees, employees entitled to participate in collective bargaining under another law and;</p> <p>With regard to employees of the University System of Maryland, Morgan State University, St. Mary's College of Maryland, or Baltimore City Community College, the law excludes the chief administrator or a comparable position, a deputy, associate, or assistant administrator or in a comparable position, members of the faculty, including a faculty librarian, student employees, including teaching assistants or a comparable position, fellows, or post-doctoral interns, contingent, contractual, temporary, or emergency employees, contingent, contractual, or temporary employee whose position is funded</p>

		<p>through a research or service grant or contract, or through clinical revenues, and employees whose regular place of employment is outside the State of Maryland.</p> <p>The law further exempts from its coverage any employee “whose participation in a labor organization would be contrary to the State's ethics laws”, any supervisory, managerial, or confidential employee of a unit of State government or State institution of higher education or as defined in regulations adopted.</p> <p>Family child care providers: <a href="#">MD Education Code Ann. § 9.5-701 et seq.</a>: Family care providers who participate in the Maryland Child Care Subsidy Program can collectively bargain.</p> <p>Independent home care providers: <a href="#">MD General Health Code Sec. 15-901 et seq.</a>: Independent home care providers (as defined by the statute) can bargain collectively.</p> <p><b>Teachers bargaining rights</b>, <a href="#">MD Educ. Code Sec 6-401 et seq.</a>: Public school employees may form, join, and participate in the activities of employee organizations of their own choice for the purpose of being represented on all matters that relate to salaries, wages, hours, and other working conditions. There may not be more than two units in a county and in Baltimore County, one of the two units shall consist of employees whose position requires an administrative and supervisory certificate and supervisory non-certificated employees. The second unit shall consist of all other public school employees unless otherwise exempt. Jurisdiction over matters related to this section is vested in the Public School Labor Relations Board established under Subtitle 8 of this title and distinct from the State Labor Relations Board.</p> <p><b>Non-certificated public school employees</b>, <a href="#">MD Educ. Code 6-501 et seq.</a>: These sections bring non-certified school employees within the jurisdiction of the Public School Labor Relations Board.</p> <p><b>National Capital Park and Planning Comm. Employees</b>, <a href="#">MD Land Use Code Sec. 16-201 et seq.</a>: Employees of the Maryland-National Capital Park and Planning Commission may form, join, and participate in the activities of employee organizations of their own choice for the purpose of being represented on all matters that relate to salaries, wages, hours, and other working conditions. Labor disputes are submitted to the Commission for referral to arbitration.</p>
Massachusetts	Permitted	<p><b>Public employee bargaining rights</b>, <a href="#">Mass. General laws Title XXI Chapter 150E</a>: Collective bargaining rights are extended to public employees except elected officials, appointed officials, members of any board or commission, representatives of any public employer, including the heads, directors and executive and administrative officers of departments and agencies of any public employer, and other managerial employees or confidential employees, and members of the militia or national guard and employees of the commission, and officers and employees within the departments of the state secretary, state treasurer, state auditor and attorney general. The State Law designates appropriate bargaining units in the state police shall as being “all such uniformed members in titles below the rank of lieutenant.” For judicial employees the appropriate unit shall be a public safety professional unit</p>

		<p>composed of all probation officers and court officers, and a unit composed of all non-managerial or non-confidential staff and clerical personnel employed by the judiciary; provided that court officers in the superior court department for Suffolk and Middlesex counties shall be represented by such other bargaining units as they may elect. The appropriate bargaining unit in the case of employees of the state lottery commission shall be all employees below the rank of assistant director. Employees subject to this law include not only the above-referenced commonwealth employees but also employees of any county, city, town, district, or other political subdivision, personal care attendants under section 70 of chapter 118E, and home care workers under section 71 of chapter 118E. The Commonwealth Board also has jurisdiction over private employers not subject to NLRA or Federal Railway Act.</p>
Michigan	Permitted	<p><b><i>Civil Service Commission has jurisdiction over state employees;</i></b> <a href="#">Mich. Compiled Laws Sec 423.1 to 423.30</a> <b><i>MI Civil Service Commission Rules;</i></b> <a href="#">Mich. Compiled Laws Sec. 423.201 to 423.216.</a>: Public employees may organize together or form, join, or assist in labor organizations; engage in lawful concerted activities for the purpose of collective negotiation or bargaining or other mutual aid and protection; or negotiate or bargain collectively with their public employers through representatives of their own free choice. The statute applies to all persons holding a position by appointment or employment in the government of the state, in the government of the political subdivisions of this state, in the public school service, in a public or special district, in the service of an authority, commission, or board, or in any other branch of the public service. Graduate student research assistants and any individual whose position does not have sufficient indicia of an employer-employee relationship using the 20-factor test announced by the internal revenue service of the United States department of treasury in revenue ruling 87-41, 1987-1 C.B. 296 is not a public employee entitled to representation or collective bargaining rights under this act.</p> <p>In any fire department, or any department in whole or part engaged in, or having the responsibility of, fire fighting, no person subordinate to a fire commission, fire commissioner, safety director, or other similar administrative agency or administrator, shall be deemed to be a supervisor (Sec. 423.213). The act specifically prohibits bargaining over certain subjects when a public school is the employer (Sec. 423.15(3)(a) to (q))</p> <p><b><i>Compulsory arbitration for Firefighters and Police;</i></b> <a href="#">Sec. 423.231 to 423.247</a>: These sections put forth procedures for compulsory arbitration of labor disputes in Police and Fire Departments.</p> <p><b><i>Compulsory arbitration for State police;</i></b> <a href="#">Sec. 423.271 to 423.287</a>: These sections put forth procedures for compulsory arbitration of labor disputes of state police troopers and sergeants.</p>
Minnesota	Permitted	<p><b><i>Public Employment Labor Relations;</i></b> <a href="#">2019 Minn. Statutes Chapter 179A</a>: Collective Bargaining rights have been extended to employees of the state, political subdivisions including the judiciary. Supervisory or confidential employee organizations shall not participate in any capacity in any negotiations which</p>

		involve units of employees other than supervisory or confidential employees. Except for organizations which represent supervisors who are: (1) firefighters, emergency medical service employees certified under section 144E.28, 911 system public safety dispatchers, peace officers subject to licensure under sections 626.84 to 626.863, guards at correctional facilities, or employees at hospitals other than state hospitals; and (2) not state or University of Minnesota employees, a supervisory or confidential employee organization which is affiliated with another employee organization which is the exclusive representative of nonsupervisory or non-confidential employees of the same public employer shall not be certified, or act as, an exclusive representative for the supervisory or confidential employees. For the purpose of this subdivision, affiliation means either direct or indirect and includes affiliation through a federation or joint body of employee organizations.
Mississippi	No Law	Teachers have a right to join union by case law: <a href="#">Jackson v. Hazelhurst 427 So.2d 134</a>
Missouri	Permitted	<b>Public employee bargaining rights</b> <a href="#">MO Rev. Statutes Sec. 105.500 to 105.598</a> : Only certain employees may join a union (statute excludes police, deputy sheriffs, Missouri state highway patrolmen, Missouri National Guard, all teachers of all Missouri schools, colleges and universities. See Sec. 105.510). Issues with respect to appropriateness of bargaining units and majority representative status shall be resolved by the state board of mediation. In the event that the appropriate administrative body or any of the bargaining units shall be aggrieved by the decision of the state board of mediation, an appeal may be had to the circuit court of the county where the administrative body is located or in the circuit court of Cole County. The state board of mediation shall use the services of the state hearing officer in all contested cases.
Montana	Permitted	<b>Special rules for public utility employees;</b> <a href="#">Mo Rev. Statutes Sec. 295.010 to 295.210</a> <b>Collective Bargaining for Public Employees;</b> <a href="#">MCA 2017 Sec. 39-31-101 to 409</a> .: Employees of the state of Montana or any political subdivision thereof, including but not limited to any town, city, county, district, school board, board of regents, public and quasi-public corporation, housing authority or other authority may form, join, or assist any labor organization, to bargain collectively through representatives of their own choosing on questions of wages, hours, fringe benefits, and other conditions of employment, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection free from interference, restraint, or coercion. The Montana board of personnel appeals is empowered to enforce this section. Nothing in this chapter shall be construed to remove recognition of established collective bargaining agreements already recognized or in existence prior to July 1, 1973. <b>Collective Bargaining for Nurses;</b> <a href="#">MCA Sec. 39-32-101 to 114</a> : Collective bargaining rights are extended to registered professional or licensed practical nurses but do not include a member of a religious order assigned to a health care facility by the order as a part of the member's obligation to the order.

		<p><b>Arbitration between firefighters and public employers;</b> <a href="#">MCA Sec 39-34-101 to 106</a>: If an impasse is reached in the course of collective bargaining between a public employer and a firefighters' organization or its exclusive representative and if the procedures for mediation and fact-finding in 39-31-307 through 39-31-310 have been exhausted, either party or both jointly may petition the board of personnel appeals for final and binding arbitration.</p> <p><b>Additional local option information:</b> Although the state statute “grandfathers” pre-existing boards, none remain in existence.</p>
Nebraska	Permitted	<p><b>State employee collective bargaining;</b> <a href="#">Neb. Rev. Statutes Sections 81-1369 to 81-1388</a>: Section 81-1373 establishes 12 bargaining units for state employees. Labor and Industrial Commission has jurisdiction over state and local government, and public utilities pursuant to Industrial relations Act <a href="#">Neb. Rev. Statutes Sections 48-801 to 839</a></p>
Nevada	Permitted	<p><b>Local Government Employee-Management Relations Act;</b> <a href="#">Nevada Rev. Statutes Sec. 288.010 to 288.280</a>: The Local Government Employee-Management Relations Board is created, consisting of three members, broadly representative of the public and not closely allied with any employee organization or local government employer, not more than two of whom may be members of the same political party. The Governor shall appoint the members of the Board. The Board has jurisdiction only over local governments; No State employee bargaining is permitted.</p>
New Hampshire	Permitted	<p><b>Public Employee Labor Relations;</b> <a href="#">NH Rev. Statutes Sec. 273-A:1 to A:17</a>: The statute creates a public employee labor relations board to oversee public employee bargaining a both the state and local level consisting of 5 members, appointed by the governor and council. Two members shall be appointed who shall have extensive experience representing organized labor. Two members shall be appointed who shall have extensive experience in representing management interests. One member, who shall be the chairman, shall be appointed to represent the public at large. Members of the board may be removed by the governor and council for cause. The Public Employee Relations Act is applicable to employees of the state and any political subdivision thereof, the judicial branch of the state, any quasi-public corporation, council, commission, agency or authority, and the state university system (also covers dog and horse track employees <a href="#">NH Rev. Statutes Sec. 273-C:1 to C:14</a>)</p>
New Jersey	Permitted	<p><b>New Jersey Employer-Employee Relations Act;</b> <a href="#">NJSA Sec. 34:13A-1 to -14</a>: The Act creates within the Department of Labor and Industry the New Jersey State Board of Mediation. The membership of such board shall consist of seven persons to be appointed by the Governor, by and with the advice and consent of the Senate. Of such members, two shall be representative of employees, two shall be representative of employers and three shall be representative of the public. Of the members first appointed, one shall be appointed for a term of 1 year; two for a term of 2 years and two for a term of 3 years. Of the two additional members provided for by this amendment, the original appointees shall</p>

		<p>hold office for 2 years. Their successors shall be appointed for terms of 3 years. The chairman of the board shall be a member who shall have been designated a representative of the public and who shall be named as chairman by the Governor: the chairman so named shall serve as chairman during his term as a member of the board. The Act further establishes a Division of Public Employment Relations and a Division of Private Employment Dispute Settlement. The Division of Public Employment Relations is concerned exclusively with matters of public employment related to determining negotiating units, elections, certifications and settlement of public employee representative and public employer disputes and grievance procedures.</p> <p>In summary, the New Jersey Board has jurisdiction over state and local government, school districts, charter schools, public colleges and universities, and autonomous agencies; but any local government may opt-out by creating its own provisions.</p> <p><b>Police and Fire Public Interest Arbitration Reform Act;</b> <a href="#">NJSA Sec. 34:13A-14a to -21</a>: Whenever Police or Fire negotiations reach an impasse, the commission, through the Division of Public Employment Relations shall, upon the request of either party, or upon its own motion take such steps, including the assignment of a mediator, as it may deem expedient to affect a voluntary resolution of the impasse. In the event of a failure to resolve the impasse by mediation, the Division of Public Employment Relations, at the request of either party, shall invoke fact-finding with recommendation for settlement of all issues in dispute unless the parties reach a voluntary settlement prior to the issuance of the fact finder's report and recommended terms of settlement. Fact findings shall be limited to those issues that are within the required scope of negotiations unless the parties to the fact-finding agree to fact-finding on permissive subjects of negotiation.</p> <p>The resolution of issues in dispute shall be binding arbitration under which the award on the unsettled issues is determined by conventional arbitration. The arbitrator shall determine whether the total net annual economic changes for each year of the agreement are reasonable under the nine statutory criteria set forth in subsection g. of this section and shall adhere to the limitations set forth in section 2 of P.L.2010, c. 105 (C.34:13A-16.7). The non-petitioning party, within five days of receipt of the petition, shall separately notify the commission in writing of all issues in dispute. The filing of the written response shall not delay, in any manner, the interest arbitration process.</p> <p><b>Additional local option information:</b> Although a local government may opt-out of the state's public employee bargaining act by creating its own provisions, there are no local boards in existence.</p>
New Mexico	Permitted	<p><b>Public Employee Bargaining Act;</b> <a href="#">NMSA 1978 Sec. 10-7E-1 to -26</a>; <a href="#">NMAC Title 11 Ch. 21</a> : Regular non-probationary employees of the state or a political subdivision thereof, including a municipality that has adopted a home rule charter and state educational institutions, other than management employees and confidential employees, may form, join or assist a labor organization for the purpose of collective</p>

bargaining through representatives chosen by public employees without interference, restraint or coercion and shall have the right to refuse any such activities.

The Public Employee Labor Relations Board is established to enforce provisions of the Public Employee Bargaining Act “through the imposition of appropriate administrative remedies.” The board consists of three members appointed by the governor; one recommended by organized labor representatives actively involved in representing public employees, another recommended by public employers actively involved in collective bargaining and the third jointly recommended by the other two appointees.

With regard to the local option question, the New Mexico Statute provides that a public employer other than the state that prior to October 1, 1991 adopted by ordinance, resolution or charter amendment, collective bargaining procedures for its employees may continue to operate under those procedures.

However, any substantial change made to those procedures after January 1, 2003 shall subject the public employer to full compliance with the provisions of Sections 8 through 12 (regarding establishment of a board and hearing procedures), Subsection D of Section 17 (scope of bargaining for public schools) and Section 26 (B) of the Act (local ordinances or resolutions enacted after October 1, 1991).

A public employer other than the state that subsequent to October 1, 1991 adopts by ordinance, resolution or charter amendment a system of provisions and procedures for public employee collective bargaining may operate under those procedures rather than those set forth in the Act provided that the employer shall comply with the provisions of Sections 8 through 12 and Subsection D of Section 17 provided the following provisions and procedures are included in each ordinance, resolution or charter amendment:

- (1) the right of public employees to form, join or assist employee organizations for the purpose of achieving collective bargaining;
- (2) procedures for the identification of appropriate bargaining units, certification elections and decertification elections equivalent to those set forth in the Public Employee Bargaining Act;
- (3) the right of a labor organization to be certified as an exclusive representative;
- (4) the right of an exclusive representative to negotiate all wages, hours and other terms and conditions of employment for public employees in the appropriate bargaining unit;
- (5) the obligation to incorporate agreements reached by the public employer and the exclusive representative into a collective bargaining agreement;
- (6) a requirement that grievance procedures culminating with binding arbitration be negotiated;
- (7) a requirement that payroll deductions for the exclusive representative's membership dues be negotiated if requested by the exclusive representative;
- (8) impasse resolution procedures equivalent to those set forth in Section 18 [10-7E-18 NMSA 1978] of the Public Employee Bargaining Act; and

		<p>(9) prohibited practices for the public employer, public employees and labor organizations that promote the principles established in Sections 19 through 21 of the Public Employee Bargaining Act.</p>
New York	Permitted	<p><b>Public Employees' Fair Employment Act – "Taylor Act"; NY Civ. Serv. Law Sec. 200-215:</b> Public employees holding a position by appointment or employment (i) the state of New York, (ii) a county, city, town, village or any other political subdivision or civil division of the state, (iii) a school district or any governmental entity operating a public school, college or university, (iv) a public improvement or special district, (v) a public authority, commission, or public benefit corporation, (vi) any other public corporation, agency or instrumentality or unit of government which exercises governmental powers under the laws of the state, or (vii) in the case of a county sheriff's office in those counties where the office of sheriff is an elected position, both the county and the sheriff, shall be designated as a joint public employer. Judges and justices of the unified court system, persons holding positions by appointment or employment in the organized militia of the state and persons who may reasonably be designated from time to time as managerial or confidential may be exempted from coverage of the Act. Employees may be designated as managerial only if they are persons (i) who formulate policy or (ii) who may reasonably be required on behalf of the public employer to assist directly in the preparation for and conduct of collective negotiations or to have a major role in the administration of agreements or in personnel administration provided that such role is not of a routine or clerical nature and requires the exercise of independent judgment. Employees may be designated as confidential only if they are persons who assist and act in a confidential capacity to managerial employees. Assistant attorneys general, assistant district attorneys, and law school graduates employed in titles which promote to assistant district attorney upon admission to the bar of the state of New York are designated managerial employees, and confidential investigators employed in the department of law are designated confidential employees. In a city of one million or more inhabitants, members in the rank of deputy chief designated as deputy assistant chief and higher shall be designated as managerial and confidential employees and members in the rank of deputy chief or lower shall not be so designated. The Taylor Act creates the public employment relations board, consisting of three members appointed by the governor, by and with the advice and consent of the senate from persons representative of the public. Not more than two members of the board shall be members of the same political party. Each member shall be appointed for a term of six years. The governor shall designate one member who shall serve as chairperson of the board until the expiration of his or her term. The Taylor Act is inapplicable to local government which has adopted by local law, ordinance or resolution, its own provisions and procedures provided that those procedures have been submitted to the board for a determination that such provisions and procedures are substantially equivalent to the provisions and procedures set forth in the Act with respect to the state.</p>

		<p><b>Additional local option information:</b> In addition to the separate New York City board recognized under the Taylor Act there were as many as 20-30 local boards in existence at one time under the present structure. However, all but one have petitioned for and been granted dissolution by the state board. Therefore, only one local government (other than New York City) continues to operate under a local option.</p>
North Carolina	Prohibited	<p><a href="#">NCGS 95-98</a> declares CBAs to be illegal</p>
North Dakota	No Law	<p><b>The ND Public Employee Relations Act; <a href="#">ND Cent. Code Sec. 34-11.1-01 to -08</a>:</b> No person, whether employed, appointed, or under contract, providing services for the state, county, city, or other political subdivision, for which compensation is paid may be denied the right to be a member of an organization of employees or be intimidated or coerced in a decision to communicate or affiliate with an organization. Public employees have the right to request payroll deduction of dues for membership in an organization of employees. Under this statute public employees are permitted to organize; however, there is no duty imposed on the public employers to bargain. It is more of a right to work law than a comprehensive labor relations scheme.</p> <p><b>Teacher representation and negotiation: <a href="#">Sec. 15.1-16-01 to -22</a>:</b> These sections grant teachers the right to organize and bargain collectively regarding “a. The terms and conditions of employment. b. Employer-employee relations. c. Formation of a contract, which may contain a provision for binding arbitration. d. The interpretation of an existing contract” (Section 15.1-16-15).</p>
Ohio	Permitted	<p><b>Public Employees' Collective Bargaining; <a href="#">Ohio Rev. Code Sec. 4117.01 to 4117.24</a>:</b> Public employees (defined as “State and local government employees including employees of any county or municipal corporation with a population of at least five thousand; school districts; college preparatory boarding schools state institutions of higher learning; public or special districts; state agencies, authorities, commissions, or boards”) have the right to form, join, assist, or participate in, or refrain from forming, joining, assisting, or participating in any employee organization of their own choosing; engage in other concerted activities for the purpose of collective bargaining or other mutual aid and protection; representation by an employee organization; Bargain collectively with their public employers to determine wages, hours, terms and other conditions of employment and the continuation, modification, or deletion of an existing provision of a collective bargaining agreement, and enter into collective bargaining agreements; present grievances and have them adjusted, without the intervention of the bargaining representative, as long as the adjustment is not inconsistent with the terms of the collective bargaining agreement then in effect and as long as the bargaining representatives have the opportunity to be present at the adjustment.</p> <p>The statute creates the state employment relations board, consisting of three members to be appointed by the governor with the advice and consent of the senate. Members shall be knowledgeable about</p>

		labor relations or personnel practices. No more than two of the three members shall belong to the same political party. The governor may remove any member of the state employment relations board, upon notice and public hearing, for neglect of duty or malfeasance in office, but for no other cause. The governor designates one member of the state employment relations board to serve as chairperson of the state employment relations board. The chairperson is the head of the state employment relations board and its chief executive officer.
Oklahoma	Prohibited	<p>Repealed Municipal Employee Collective Bargaining Act in 2011.</p> <p><b>Public policy of fire and police arbitration law;</b> <a href="#">Title 11, Sec. 51-101 to -113</a>: Fire fighters and police officers in any municipality shall have the separate right to bargain collectively with their municipality and to be represented by a bargaining agent in such collective bargaining with respect to wages, salaries, hours, rates of pay, grievances, working conditions and all other terms and conditions of employment. There is also created the Public Employees Relations Board, composed of three (3) members appointed by the Governor, one of whom shall be designated as Chairman.</p> <p><b>Teachers</b> <a href="#">Title 70 Sec. 509.1 to 510.2</a>: The board of education shall recognize an employee organization designated by an election of the employees in an appropriate bargaining unit as the exclusive representative of all the employees in such unit.</p>
Oregon	Permitted	<p><b>Public Employee Collective Bargaining Act;</b> <a href="#">OR Rev. Statutes Sec. 243.650 to 243.782</a>: Public employees have the right to form, join and participate in the activities of labor organizations of their own choosing for the purpose of representation and collective bargaining with their public employer on matters concerning employment relations.</p> <p>The State Board has jurisdiction over both employees of the State of Oregon, and the following political subdivisions: Cities, counties, community colleges, school districts, special districts, mass transit districts, metropolitan service districts, public service corporations or municipal corporations and public and quasi-public corporations.</p>
Pennsylvania	Permitted	<p><b>Public Employee Relations Act;</b> <a href="#">Act No. 195 of 1970</a>: Pennsylvania grants to public employees the right to organize and choose freely their representatives and requires public employers to negotiate and bargain with employees' those representatives and to enter into written agreements evidencing the result of such bargaining. The parties to the collective bargaining process shall not effect or implement a provision in a collective bargaining agreement if the implementation of that provision would be in violation of, or inconsistent with, or in conflict with any statute or statutes enacted by the General Assembly of the Commonwealth of Pennsylvania or the provisions of municipal home rule charters. Pre-existing collective bargaining right found in the following Acts are not repealed or diminished by the Public Employee Relations Act:</p> <p>(1) The "Metropolitan Transportation Authorities Act of 1963."</p>

		<p>(2) The act of November 27, 1967 (P.L. 628), entitled “An act protecting the rights of employees of existing transportation systems which are acquired by cities of the third class or any authority thereof or certain joint authorities; requiring cities of the third class or any authority thereof or any such joint authority to enter into contracts with labor organizations acting for such employees, and providing for arbitration in case of disputes.”</p> <p>(3) Section 13.2 of the act of April 6, 1956 (P.L. 1414), known as the “Second Class County Port Authority Act.”</p> <p>This act shall not be construed to repeal the act of June 24, 1968 (Act No. 111), entitled “An act specifically authorizing collective bargaining between policemen and firemen and their public employers; providing for arbitration in order to settle disputes, and requiring compliance with collective bargaining agreements and findings of arbitrators.”</p> <p>Pursuant to § 1101.2003 of the Act provisions of an ordinance of the City of Philadelphia approved April 4, 1961, entitled “An Ordinance to authorize the Mayor to enter into an agreement with District Council 33, American Federation of State, County and Municipal Employees, A.F.L.-C.I.O., Philadelphia and vicinity regarding its representation of certain City Employees,” which are inconsistent with the provisions of this act shall remain in full force and effect so long as the present provisions of that ordinance are valid and operative.</p> <p>The Act also creates the Pennsylvania Labor Relations Board to execute the provisions of the Act. The 3 members of the Board are appointed by the Governor.</p> <p><b>Policemen and Firemen Collective Bargaining Act; <a href="#">1968 Act 111</a>:</b> Policemen or firemen employed by a political subdivision of the Commonwealth or by the Commonwealth shall, through labor organizations or other representatives designated by fifty percent or more of such policemen or firemen, have the right to bargain collectively with their public employers concerning the terms and conditions of their employment, including compensation, hours, working conditions, retirement, pensions and other benefits, and shall have the right to an adjustment or settlement of their grievances or disputes in accordance with the terms of this act.</p>
Rhode Island	Permitted	<p><b>State employees generally; <a href="#">RI Gen Laws Sec. 36-11-1 to -13</a>:</b> State employees, except for casual employees or seasonal employees, shall have the right to organize and designate representatives of their own choosing for the purpose of collective bargaining with respect to wages, hours, and other conditions of employment. State employees, as used in this chapter, shall include employees and members of the department of state police below the rank of lieutenant.</p> <p><b>Firefighters' Arbitration Act, <a href="#">R.I. General Laws, § 28-9.1-1 to -18</a>; Municipal Police Arbitration Act, <a href="#">R.I. General Laws, § 28-9.2-1 to -18</a>; Certified School Teachers' Arbitration Act, <a href="#">R.I. General Laws, § 28-9.3-1 to -16</a>; Municipal Employees' Arbitration Act, <a href="#">R.I. General Laws, § 28-9.4-1 to -19</a>; State Police</b></p>

		<p><b>Arbitration Act</b>, <a href="#">R.I. General Laws, § 28-9.5-1 to -17</a>; <b>911 Employees' Arbitration Act</b>, <a href="#">R.I. General Laws, § 28-9.6-1 to -16</a>; <b>Correctional Officers' Arbitration Act</b>, <a href="#">R.I. General Laws, § 28-9.7-1 to -17</a>: These classes of employees are prohibited from striking, but retain all other well recognized rights of labor.</p> <p><b>Arbitration of Labor Controversies</b>, <a href="#">R.I. General Laws, § 28-9-1 to -27</a>: Pursuant to § 28-9.3-6 the state labor relations board is established to prescribe the method of petitioning for an election, the manner, place, and time of conducting the election, and shall supervise all elections to insure against interference, restraint, discrimination, or coercion from any source. Complaints of interference, restraint, discrimination, or coercion shall be heard and dealt with by the labor relations board as provided in chapter 7 of this title. The services of the state director of labor and training and his or her conciliators shall be available to municipal employers and employee organizations for purposes of conciliation of grievances or contract disputes; provided, that nothing in this section prevents the use of the arbitration procedures and arbitration tribunals provided for in §§ 28-9.4-10 - 28-9.4-15. All contract disputes are submitted first to mediation then arbitration.</p>
South Carolina	Prohibited	Public employees have no right to unionize: <a href="#">Branch v. Myrtle Beach 340 S.C. 405</a>
South Dakota	Permitted	<p><b>Public Employees' Unions</b>; <a href="#">SD Cod. Laws Sec. 3-18-1 to -18</a>: The right to organize and bargain collectively is extended to any person holding a position by appointment or employment in the government of the State of South Dakota or in the government of any one or more of the political subdivisions thereof, or in the service of the public schools, or in the service of any authority, commission, or board, or any other branch of the public service. Excepted from this provision are:</p> <ul style="list-style-type: none"> <li>a. Elected officials and persons appointed to fill vacancies in elective offices and members of any board or commission;</li> <li>b. Administrators except elementary and secondary school administrators, administrative officers, directors, or chief executive officers of a public employer or major divisions thereof as well as chief deputies, first assistants, and any other public employees having authority in the interest of the public employer to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other public employees, or the responsibility to direct them, or to adjust their grievances, or to effectively recommend such action, if in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment;</li> <li>c. Students working as part-time employees twenty hours per week or less;</li> <li>d. Temporary public employees employed for a period of four months or less;</li> <li>e. Commissioned and enlisted personnel of the South Dakota National Guard;</li> <li>f. Judges and employees of the unified court system;</li> </ul>

		<p>g. Legislators and the full-time and part-time employees of the legislature or any state agency that statutorily is directed by the legislative branch.</p> <p>The Department of Labor and Regulation shall promulgate rules pursuant to chapter 1-26 to adopt a standard grievance procedure to carry out the provisions of § 3-18-15.1.</p>
Tennessee	Prohibited	<p><b>Professional Educators Collaborative Conferencing Act of 2011</b>; <a href="#">TN Code Sec. 49-5-601 to -609</a>: Only teachers can engage in ‘collaborative conferencing’, and such ‘conferencing’ [sic] is “limited to the following: (1) Salaries or wages; (2) Grievance procedures; (3) Insurance; (4) Fringe benefits, but not to include pensions or retirement programs of the Tennessee consolidated retirement system or locally authorized early retirement incentives; (5) Working conditions; except those working conditions which are prescribed by federal law, state law, private act, municipal charter or rules and regulations of the state board of education, the department of education or any other department or agency of state or local government; (6) Leave; and (7) Payroll deductions [not to include payroll deductions for political activities].”</p>
Texas	Prohibited	<p><b>Fire and Police Employee Relations</b>; <a href="#">Tex. Local Gov. Code Sec. 174.001 to 174.253</a> The policy of Texas is that fire fighters and police officers, like employees in the private sector, should have the right to organize for collective bargaining. Strikes, lockouts, and work stoppages and slowdowns of fire fighters and police officers be prohibited, and therefore a system of binding arbitration is instituted. An alternative procedure of judicial enforcement of the requirements of this chapter regarding compensation and conditions of employment applicable to fire fighters and police officers is also recognized.</p> <p><b>Local Control of Municipal Employment Matters in Certain Municipalities</b>; <a href="#">Tex. Local Gov. Code Sec. 146.001 to 146.017</a>: cities with a population greater than 1.5 million can enter into CBAs.</p> <p><b>All other CBAs illegal</b>; <a href="#">Tex Gov. Code Sec 617.002</a></p>
Utah	No Law	<p>Labor Relations Act (Utah Code Title 34, Chapter 20) specifically excludes the State as an employer in definitions</p>
Vermont	Permitted	<p><b>State Employees Labor Relations Act</b>; <a href="#">Vt. Stat. Ann., Title 3, Ch. 27, §§ 901-1008</a>: State employees meaning any individual employed on a permanent or limited status basis by the state of Vermont, the Vermont state colleges or the University of Vermont, including permanent part-time employees, have the right to form, join or assist employee organizations; to bargain collectively through representatives of their own choice, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection.</p> <p>The statute creates a state labor relations board composed of six members. The governor shall appoint the members with the advice and consent of the senate for a term of six years or for the member’s unexpired term from a list of nominees presented by the labor board review panel. The labor board</p>

		<p>review panel shall be composed of five members to include the executive director of the Vermont bar association, the commissioner of labor, the state court administrator, and a representative of labor and a representative of employers, both of whom shall be appointed for two-year terms by the commissioner of labor from names provided by labor organizations and employers in the state. The State Board has jurisdiction over state and local government, judiciary and teachers.</p> <p><b>Vermont Municipal Labor Relations Act;</b> <a href="#">Vt. Stat. Ann., Title 21, Ch. 22, §§ 1721-1736</a>: Vermont recognizes municipal employees’ to self-organization; to form, join or assist employee organizations and to bargain collectively. A state Board is established to “define and proscribe practices on the part of employee organizations and municipal employers which are harmful to the general welfare, and to protect the rights of the public in connection with labor disputes.” For the purpose of collective bargaining, the representatives of the municipal employer and the bargaining unit shall meet at any reasonable time and shall bargain in good faith with respect to wages, hours and conditions of employment, and shall execute a written contract incorporating any agreement reached; provided, however, neither party shall be compelled to agree to a proposal nor to make a concession, nor to bargain over any issue of managerial prerogative.</p> <p><b>Labor Relations for Teachers Act;</b> <a href="#">Vt. Stat. Ann., Title 16, Ch. 57, §§ 1981-2028</a>: Vermont’s teachers, principals, assistant principals, and administrators, other than the superintendent and assistant superintendent, have the right to join, assist, or participate in any teachers' or administrators’ organization of their choosing.</p> <p><b>Judiciary Employees Relations Act;</b> <a href="#">Vt. Stat. Ann., Title 3, Ch. 28, § 1010-1044</a>: “any individual employed and compensated on a permanent or limited status basis by the Judiciary Department, including permanent part-time employees” are covered except “(A) a Justice, judge, assistant judge, magistrate, or hearing officer; (B) the Court Administrator; (C) a managerial, supervisory, or confidential employee; (D) a law clerk, attorney, or administrative assistant or private secretary to a judge, Justice, or Court Administrator; (E) an individual employed on a temporary, contractual, seasonal, or on-call basis, including an intern; (F) an employee during the initial or extended probationary period; (G) the head of a department or division; (H) [Repealed.] (I) an attorney for the Supreme Court, for the Court Administrator, or for any board or commission created by the Supreme Court; (J) an employee paid by the State who is appointed part-time as county clerk pursuant to 4 V.S.A. § 651 or 691; (K) an employee who, after hearing by the Board upon petition of any individual, the employer, or a collective bargaining unit, is determined to be in a position that is sufficiently inconsistent with the spirit and intent of this chapter to warrant exclusion.”</p>
Virginia	Prohibited	<a href="#">Code of VA Sec. 40.1-57.2</a> specifically outlaws collective bargaining

Washington	Permitted	<p><b>State Employees;</b> <a href="#">Rev Code of WA Sec. 41.80.001 to 41.80.911</a>: Confers organization and bargaining rights to state employees.</p> <p><b>Local employees;</b> <a href="#">Rev Code of WA Sec. 41.56.010 to 41.56.950</a>: Section 41.56.020 confers organization and bargaining rights to employees of “any county or municipal corporation, or any political subdivision of the state of Washington, including district courts and superior courts;” subsequent provisions have expanded this coverage to include employees of institutions of higher education (41.56.021), University of Washington printing craft employees (41.56.022), classified employees of technical colleges (41.56.024), juvenile inmate education providers (41.56.025), charter school employees (41.56.0251), home health care individual providers (41.56.026), passenger-only ferry employees (41.56.027), family child care providers (41.56.028), and adult family home providers (41.56.029).</p> <p><b>Educational Employment Relations Act;</b> <a href="#">Rev Code of WA Sec. 41.59.010 to 41.59.940</a>: Collective bargaining rights pursuant to Was. Rev. Code § 41.56.010 et seq are extended to employees of institutions of higher education who are exempted from civil service pursuant to RCW 41.06.070 with applicable exceptions.</p> <p><b>Community college teachers;</b> <a href="#">Rev Code of WA Sec.28B.52.010 to 28B.52.300</a>: Confers organization and bargaining rights on academic personnel in community colleges.</p>
West Virginia	No Law	<p>Teachers have right to organize for negotiations under W. Va. Op. Att'y Gen. 300<sup>1</sup>; teachers have no right to strike. <a href="#">Jefferson County Bd. of Educ. V Jefferson County Educ. Ass'n 393 S.E. 2d 653, 659 (W.Va. 1990)</a></p>
Wisconsin	Permitted	<p><b>State employees;</b> <a href="#">111.81 to 111.94</a>: Wisconsin extends collective bargaining rights to “Any state employee in the classified service of the state” except limited term employees, sessional employees, project employees, supervisors, management employees and individuals who are privy to confidential matters affecting the employer-employee relationship, as well as all employees of the employment relations commission which has jurisdiction over public employee bargaining issues. Bargaining rights are also extended to employees of the University of Wisconsin System, except faculty under and academic staff and to program, project or teaching assistants except supervisors, management employees and individuals who are privy to confidential matters affecting the employer-employee relationship. Bargaining rights are also extended to the following:</p> <p>(a) Assistant district attorneys, except supervisors, management employees and individuals who are privy to confidential matters affecting the employer-employee relationship.</p>

<sup>1</sup> Cited in “Regulation of Public Sector Collective Bargaining in the States” By Milla Sanes and John Schmitt <http://cepr.net/documents/state-public-cb-2014-03.pdf>

		<p>(b) Attorneys employed in the office of the state public defender, except supervisors, management employees or individuals who are privy to confidential matters affecting the employer-employee relationship.</p> <p>(c) Instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract.</p> <p>(d) Research assistants of the University of Wisconsin-Madison and University of Wisconsin-Extension.</p> <p>(e) Research assistants of the University of Wisconsin-Milwaukee.</p> <p>(f) Research assistants of the Universities of Wisconsin-Eau Claire, Green Bay, La Crosse, Oshkosh, Parkside, Platteville, River Falls, Stevens Point, Stout, Superior, and Whitewater.</p> <p><b>Municipal employees; <a href="#">Wis. Statute 111.70 to 111.77</a>:</b> Wisconsin recognizes collective bargaining rights for all employees of any city, county, village, town, metropolitan sewerage district, school district, long-term care district, transit authority, local cultural arts district or any other political subdivision of the state, or instrumentality of one or more political subdivisions of the state with the usual exemptions for management or confidential employees, etc.</p> <p>Wisconsin's Board has jurisdiction over all public employee bargaining in the state whether involving local or state employees.</p>
Wyoming	No Law	<p><b>Right to work; <a href="#">Wyoming Statutes 27-7-101 to -115</a>:</b> the statute is not specific to public employees and not a comprehensive labor relations scheme (similar to North Dakota)</p> <p><b>Firefighters; <a href="#">Wyoming Statutes 27-10-102 to -109</a>:</b> Wyoming extends collective bargaining to the fire fighters in any city, town or county as to wages, rates of pay, working conditions and all other terms and conditions of employment. Local firefighters represent an exception a to a general rule that Wyoming's labor relations laws apply only to private industry and is not construed to require municipalities to engage in collective bargaining with any of their employees other than firefighters.</p> <p><b>Teachers; <a href="#">Wyoming Statutes 21-3-111</a>:</b> "Accordingly, W.S. 21-3-111(a)(iii) empowers the school board to enter into a collective bargaining agreement with its employees if it chooses to do so. It may therefore recognize a labor organization as the exclusive bargaining agent for purposes of representing certain classes of employees in negotiating wages and other terms and conditions of employment, but it need not do so." 1978 Wyo. Op. Att'y Gen. 157 (1978)<sup>2</sup></p>

<sup>2</sup> Ibid