
Detailed Fiscal Analysis

Overview

The bill prohibits classroom teachers employed by boards of education from striking. Instead, those teachers must submit to binding arbitration, also known as a final offer settlement procedure, to settle unresolved collective bargaining disputes. The bill also requires the Legislative Service Commission (LSC) to conduct a study and prepare a report on the effect of the binding arbitration requirement on school districts and makes an appropriation to LSC for this purpose.

Local fiscal effects

The Public Employee Collective Bargaining Law specifies timelines and requirements for negotiating collective bargaining agreements. Generally, under continuing law, the negotiating parties may follow this series of steps in order to resolve a collective bargaining dispute:

- Intervention by the State Employment Relations Board (SERB);
- Appointment by SERB of a mediator;
- Appointment of a fact-finding panel;
- Strike or final offer settlement procedure.

The bill affects the last step in the process by requiring that classroom teachers submit to a final offer settlement procedure instead of striking. A final offer settlement procedure involves a hearing by a conciliator. Final offer settlement awards are subject to the Arbitration Law and review by a court of common pleas.

Classroom teachers are not entitled to pay or compensation from the school district while engaged in a strike (R.C. 4117.15(C)). However, school districts often employ a strike management company to hire replacement teachers and security workers in order to keep schools open during a strike. Based on conversations with representatives from two school districts who have recently experienced teacher strikes, the start-up costs associated with contracting with the strike management company and the duration of a strike are two important factors in determining the financial impact of a strike on the school district. Presumably, if the district were not able to keep schools open, it would have to make up any missed instructional days. There are also costs associated with conciliators and court reviews involved in a final offer settlement procedure. The costs associated with a final offer settlement procedure as opposed to a strike are expected to be unique to each unresolved collective bargaining dispute.

According to data from SERB, there have been 70 classroom teacher strikes in Ohio since 1984 averaging approximately 15 calendar days in duration. More recently, there have been eight strikes involving classroom teachers over the past nine years with no more than two strikes occurring in any given fiscal year.

State fiscal effects

The bill includes an appropriation from the General Revenue Fund of \$50,000 in FY 2009 to LSC to monitor and study the effects of the bill during a five-year period. The bill requires LSC to submit a report to the Speaker and Minority Leader of the House of Representatives and the President and Minority Leader of the Senate not later than five years after the bill's effective date.

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